

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.803 of 2024

Arising Out of PS. Case No.-109 Year-2023 Thana- NATIONAL HIGHWAY District-
Samastipur

Ashok Kumar @ Ashok Das SON OF YOGENDRA DAS Vill. Dih sarsauna
Ps. Bangra Dist. Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Priyesh Kumar, Advocate

For the Opposite Party/s : Mr.Nawal Kishore Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 04-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Bangra P.S. case No.
109 of 2023 instituted for the offences under Sections 147, 148,
149, 341, 342, 323, 324, 325, 354, 427, 333, 307, 353, 114, 188,
504 of the Indian Penal Code..

3. Prosecution allegation, in short, is that 22 named
accused persons including the petitioner along with 50-60
unknown created hindrance in discharging the duties of police
personnel. In the alleged incident, the accused persons also
damaged the JCB machine which was brought to remove the
encroachment.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case.



Charge-sheet has been submitted in this case. General and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. The petitioner is in custody since 13.09.2023 and has no criminal antecedent. Similar co-accused has been granted bail by a Coordinate Bench of this Court vide order dated 20.02.2024 passed in Cr. Misc. No. 9403 of 2024.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, the period of custody undergone by the petitioner and the claim based on parity, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bangra P.S. case No. 109 of 2023.

(Rudra Prakash Mishra, J)

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