

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86550 of 2023

Arising Out of PS. Case No.-303 Year-2020 Thana- GAYA KOTWALI District- Gaya

Md Raja @ Raja SON OF LATE MD. ANWAR RESIDENT OF VILLAGE -
RAMSHILA, PS- KOTWALI, DISTT- GAYA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivendra Prasad, Advocate

For the Opposite Party/s : Mr.Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 31-01-2024 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Kotwali Police Station Case No. 303 of 2020, disclosing offences punishable under Sections 147/ 148/ 149/ 341/ 323/ 307/ 353/ 290/ 427/ 209/ 270/ 504 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report lodged by the Station House Officer, Kotwali, is that on 28.08.2020, at about 6.30 AM, the informant received information by the controlling party that about 400-500 people had assembled near the karbala gate and were creating ruckus by trying to break the gate of karbala. The police party arrived at the place of occurrence and their vehicles were stopped by the



accused persons. The crowd started pelting bricks and stone and also had scuffle with the police party. When the police used pressure to repulse the crowd back, some persons fled away, however, some of the accused persons were arrested. Altogether 41 named persons are there in the First Information Report, out of which 27 were arrested and other 17 persons succeeded in fleeing away, including the petitioners.

4. Learned Counsel for the petitioner submits that general and omnibus allegation is there against the petitioner, along with 400-500 unknown persons and 41 named accused persons. He further submits that there is no specific allegation against the petitioner and co-accused persons namely Md. Danish and Vicky have been granted anticipatory bail by this Court vide order dated 11.10.2023, passed in Criminal Misc. No. 61866 of 2023.

5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that the allegation against the petitioner is general and omnibus in nature and co-accused persons have been granted privilege of anticipatory bail by this Court, I am inclined to grant the privilege of anticipatory bail to the petitioner.

6. This application is, accordingly, allowed.



7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Kotwali Police Station Case No. 303 of 2020, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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