

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.873 of 2024

Arising Out of PS. Case No.-535 Year-2018 Thana- CHAPRA TOWN District- Saran

Surendra Ray @ Surendra Prasad Yadav, Male, aged about 53 years, S/O Late Ramjas Ray Resident of Village- Goriyatoli, Chhota Telpa, P.S.- Chapra Town, District- Saran at Chapra (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar, Advocate
Mr. Rakesh Kumar, Advocate
For the Opposite Party/s : Mr. Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 24-01-2024 Heard Mr. Deepak Kumar along with Mr. Rakesh Kumar, learned counsels appearing on behalf of the petitioner and Mr. Md. Ataur Rahman, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Chapra Town P.S. Case No. 535 of 2018 dated 10.09.2018 registered for the offence(s) punishable under Sections 147, 148, 188, 283 and 353 of the Indian Penal Code.

3. Allegation is that of creating riot and obstructing the police forces in conducting their official duty.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner is innocent and he had no information about his alleged name in the said FIR, which was lodged in the year 2018 and there was also no question of being



apprehended. Learned counsel further submits that even assuming that the petitioner was present at the place of occurrence, he can simply be alleged to be a member of the mob.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of allegation made against the petitioner as well as the petitioner being a member of the mob, I am of the opinion that petitioner has, prima facie, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra in connection with Chapra Town P.S. Case No. 535 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

8. The court below is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases, as what has been stated in



paragraph no.3 of the bail application, this order will
automatically lose its force.

(Purnendu Singh, J)

Sanjay/-

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