

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3834 of 2024

Arising Out of PS. Case No.-301 Year-2023 Thana- BALIYA District- Begusarai

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Amit Kumar Rastogi @ Amit Rastogi Son of Raj Kumar Rastogi Resident of
Village- Ballia Bazar, P.S.- Ballia, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Sriram Krishna, Adv. Mr. Abhijeet Gautam, Adv. Mr. Prabhat Kumar Singh, Adv.
For the Opposite Party/s :	Mr. Nand Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-02-2024 1. Heard learned counsel for the petitioner and learned

A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Ballia P.S. Case No.301/2023 dated 26.10.2023 registered for the offence punishable under Sections 147, 148, 149, 341, 342, 323, 325, 337, 338, 307, 435, 436, 353, 427, 153A, 295A, 505B, 505C, 120(B) and 379 of the Indian Penal Code & Section 9 of Loudspeaker Act.

3. Learned counsel for the petitioner submits that the petitioner has antecedent of one case and from perusal of the allegation as alleged in the F.I.R., it would manifest that the informant alleges that during immersion of Goddess Durga idol, the petitioner gave a sign for destroying the flag of other community on which one person tore the flag of other



community which led to tense the situation but on the intervention of the district level authorities, the matter was pacified. The learned counsel submits that the petitioner has been falsely implicated in the present case. It is next submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that the allegation is general and omnibus in nature. It is further submitted that the petitioner will not abscond rather will co-operate in investigation.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Begusarai in connection with Ballia P.S. Case No.301/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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