

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4623 of 2025

Arising Out of PS. Case No.-147 Year-2024 Thana- BELSAND District- Sitamarhi

Raushan Bhandari @ Raushan Kumar @ Roshan Bhandari @ Roshan Kumar
Son of Suman Bhandari @ Sonam bhandari R/O Village- Ward No. 3,
Belsand, P.S.- Belsand, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Singh

For the Opposite Party/s : Mr. Narendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 28-02-2025 1. Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

2. This application, for grant of regular bail, arises out of Belsand Town Police Station Case No. 147 of 2024, disclosing offences under Section 223, 224, 191(2), 191(3), 190, 192, 292, 126(2), 115(2), 121, 109, 132, 324(4), 352, 351(3), 299, 326(f) of the BNS, 2023 and Sections 3/4 of the Bihar Control and Use of Loudspeaker Act, 1955.

3. As per the FIR, on 12.10.2024, while the informant with other police officers were on duty on the occasion of emersion of Maa Durga idol, the petitioner along with other accused persons named in the FIR and 1000 to 1200 unknown persons variously armed with lathi, bhala, gandasa and sword



reached near masjid, started raising slogan against the particular religion on DJ. The informant and other police officials tried to pacify them but of no effect. The people of two communities started pelting stones on each other. During that course some police personnel also sustained injury. The accused persons also set fire the shop of Md. Kajim. The accused persons were raising slogans against the administration and disturbed the informant and police personnel in discharge of their official duty.

4. Learned counsel for the petitioner submits that altogether 74 persons are named in the FIR along with 1000 to 1200 unknown persons. The petitioner is named in the FIR but no specific overt act has been alleged against him whereas specific acts have been alleged against 22 accused persons in which the petitioner's name is not there. Petitioner is in custody since 19.11.2024 and the charge sheet has already been submitted. There is no likelihood that the petitioner will abscond or tamper with the evidence.

5. Regards being had to the submissions made by the parties and taking into consideration the fact that there is general and omnibus allegation against the petitioner, no specific overt act has been alleged against him, charge sheet has been



submitted and he is in custody since 19.11.2024, accordingly, I am inclined to grant regular bail to the petitioner.

6. This application is, accordingly, allowed.

7. Let the petitioner, above named, 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 Judicial Magistrate 1st Class, Sitamarhi in connection to the Belsand Town Police Station Case No. 147 of 2024

8. This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Anil Kumar Sinha, J)

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