

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6450 of 2025

Arising Out of PS. Case No.-271 Year-2021 Thana- EKANGARSARAI District- Nalanda

1. Rahul Kumar, S/o Manoj @ Anuj Kumar Singh, R/o vill - Teliya Mai, P.s. - Aungari, Distt.- Nalanda
2. Sumitra Nandan Prasad @ Ajay Kumar, S/o Late Babu Ram Prasad, R/o vill - Teliya Mai, P.s. - Aungari, Distt.- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Samir Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 19-02-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with Ekangarsarai P.S. Case No. 271 of 2021 dated 22.10.2021 instituted for the offence punishable under Sections 147, 149, 188, 171(F), 341, 342, 279, 323, 332, 333, 114, 115, 353, 307 of the Indian Penal Code.

3. The prosecution case, in short, is that on the alleged date of occurrence in the course of election campaign, a scuffle took place between two communities and in consequence thereof, road was blocked.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in



this case. It is further submitted that the F.I.R. has been lodged against 22 named accused persons and 10-15 unknown accused persons. There is no specific allegation against the petitioners rather the allegation against the petitioners is general and omnibus. It is submitted that the scuffle is said to have taken place between two communities. Learned counsel for the petitioners further submits that the petitioner no. 1 is the student of B.Tech of National Institute of Technology, Karnataka and on the date of occurrence, he was not present there. Petitioner no. 2 was working at Sonipat, Haryana in D.S. Enterprises on the day of occurrence. Learned counsel for the petitioners further submits that similarly situated co-accused, namely, Manoj @ Anuj Kumar has been granted anticipatory bail *vide* order dated 09.11.2022 passed by a co-ordinate Bench of this Court in Criminal Miscellaneous No. 30197 of 2022. Similarly, Sharbila Devi has also been granted anticipatory bail *vide* order dated 25.03.2022 passed by a co-ordinate Bench of this Court in Criminal Miscellaneous No. 10497 of 2022. Lastly, it has been submitted that petitioners have no criminal antecedents.

5. On the other hand, learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the



event of arrest / surrender of the petitioners within a period of six weeks from today, in connection with Ekangarsarai P.S. Case No. 271 of 2021, they will be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Hilsa (Nalanda), subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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