

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9680 of 2025

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

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Pankaj Rai @ Pankaj Kumar S/O Bhavicchan Rai, Resident of village -
Belsand, P.S.- Belsand, Dist.- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dwij Raj, Advocate
For the State : Ms. Anita Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 06-03-2025 Heard Ld. counsel for the petitioner and Ld. APP for
the State.

2. The present petition has been filed on behalf of the petitioner, apprehending his arrest, in connection with Belsand PS. Case No.- 147 of 2024 dated 13.10.2024, registered for the offences punishable under Sections 223, 224, 191(2), 191(3), 190, 192, 292, 126(2), 115(2), 121, 109, 132, 324(4), 352, 351(3), 299 and 326(f) of B.N.S., 2023 and Section 3 of Bihar Loud Speaker Act.

3. As per allegation, the accused persons including the petitioner are alleged to have done *actus reus* to disturb the communal harmony and assaulting the administrative personnel.

4. Ld. counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this



case. He further submits that the F.I.R. has been lodged against 74 named accused and other 500-600 unknown persons and it is not possible to identify the persons who had allegedly committed the offence. Hence, allegation is based only on suspicion. As a matter of fact, the present petitioner was not present at the place of occurrence and he has nothing to do with the alleged offence.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioner has been made accused in three other cases.

7. However, Ld. APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs.10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of



Ld. Chief Judicial Magistrate, Sitamarhi, in connection with Belsand PS. Case No.-147 of 2024, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has criminal antecedents other than the disclosed one, Ld. court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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