

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31112 of 2025

Arising Out of PS. Case No.-163 Year-2023 Thana- CIVIL LINE District- Gaya

Sunil Kumar Singh, S/O Shivilalan Singh, Resident of Village- Jiyan Bigha,
PS- Tankuppa, Dist.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar, Advocate

For the Opposite Party/s : Mr. Md. Mushtaque Alam, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 21-05-2025 Heard learned Advocate appearing on behalf of the

petitioner and the learned Additional Public Prosecutor for the

State.

2. The petitioner apprehends his arrest in connection
with Civil Lines (Gaya) P.S. Case No. 163 of 2023, registered
for the offences punishable under Sections 147, 148, 332, 333,
353, 504 and 506 of the Indian Penal Code.

3. Allegedly, during the physical examination of
candidates for the recruitment of Home Guards, some of the
candidates with the help of their family members and antisocial
elements by creating an unlawful assembly started making
commotion and ruckus and thereby causing disturbance in
discharging the official duty of the police party. It is also alleged
that the accused persons also assaulted the police and damaged



the public property.

4. Learned Advocate appearing on behalf of the petitioner submitted that due to panic amongst the candidates, it led to stampede; and the candidates and the persons who were present there started fleeing away and later on, altogether 13 motorcycles were seized from the campus, out of which one of the motorcycle is said to be of the petitioner. Based upon the recovery, the name of the petitioner has been implicated. Neither there is any disclosure regarding the overt act of the petitioner, nor during the course of investigation any other material has come. The petitioner was neither candidate in the examination, nor has any concern with recruitment process. Moreover, the motorcycle in question based upon which his name has been implicated, that has already been sold to one Ramesh Kumar much earlier in the year 2020 itself. In support of the aforesaid contention, the sale letter has also been brought on record as Annexure-2 to the petition. It is lastly contended that other co-accused persons facing identical allegation has been allowed privilege of anticipatory bail by different Benches of this Court.

5. On the other hand, learned Advocate for the State opposed the pre-arrest bail application and submits that the presence of the motorcycle at the place of occurrence, shows the



involvement of the petitioner in crime.

6. Regard being had to the submissions made on behalf of the parties and considering the implication of the petitioner without any overt act as also the case of the petitioner is based on parity, coupled with his fair antecedent, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gaya in connection with Civil Lines (Gaya) P.S. Case No. 163 of 2023, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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