

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35239 of 2025

Arising Out of PS. Case No.-297 Year-2022 Thana- BELAGANJ District- Gaya

Amir Khan @ Md. Amir Khan S/o- Md. Akhtar Khan Village- Samaspur,
P.S.- Belaganj, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Sinha, Adv.

For the Opposite Party/s : Mr.Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 29-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner is apprehending arrest in connection with Belaganj P.S. Case No. 2976 of 2022 registered for the offences punishable under Sections 147, 148, 149, 188, 341, 323, 307, 353, 504 of the Indian Penal Code.

3. As per prosecution case, informant got information that some persons are raising slogan against the “Agnipath Scheme” on N.H. 83. On this information, he alongwith other police official reached there and saw about 100 persons armed with Lathi-Danda, bricks raising slogans against the said Scheme and burning tyres on the road due to which many vehicles faced problem in reaching to their destination. Petitioner is one among them who has been identified by the



help of video clip to have participated in the said occurrence.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the first information report. The allegation levelled against the petitioner is general and omnibus in nature. Petitioner was not apprehended at the place of occurrence and his presence at the place of occurrence is doubtful. Petitioner never obstructed any police official or any other person from discharging their duty. Learned counsel submits that no one has sustained any injury, and as such, allegation under section section 307 I.P.C. is not made out. Petitioner has criminal antecedent of one case in which he is already on bail. Learned counsel for the petitioner submits that co-accused Manjeet Chaudhary @ Sanjeet Chaudhary @ Sanjit Choudhary has already been granted anticipatory bail by a co-ordinate Bench of this Court in Cr. Misc. No. 17776 of 2023 and the case of the present petitioner stands on similar and identical footing and on the principle of parity, petitioner deserves the same treatment.

5. The learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, co-accused has already been granted anticipatory bail,



argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner, above named, in the event of arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate II, Gaya in connection with Belaganj P.S. Case No. 297 of 2022, subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Alok Kumar Pandey, J)

mcverma/-

U		T	
---	--	---	--

