

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80139 of 2025

Arising Out of PS. Case No.-224 Year-2025 Thana- ALAMGANJ District- Patna

Shubham Kumar @ Subham Jaiswal S/o Sanjeet Kumar R/o Gayghat,
Dakshnigali, P.S- Alamganj, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajanan Mishra, Advocate.

For the Opposite Party/s : Ms. Asha Devi, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 06-01-2026 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Alamganj P.S. Case No.224 of 2025 instituted under Sections 196, 299, 353, 292, 293 & 223 of the B.N.S., 2023 and Section 9 of the Bihar Control of the use and Play of Loud Speakers Act, 1955.

3. As per the prosecution case, the informant alleged that during the procession (Sobha Yatra) taken out on the occasion of Mahashivratri, some persons were hurling objectionable statement resulting in communal tension.

4. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case being the owner of Bass King Tiger D.J. Trolley. He further submits that petitioner was not present on the spot and he has not uttered any objectionable statement. Learned counsel submits that



there is no specific allegation against the petitioner and the same are general in nature. He further submits that the co-accused Sagar Kumar who was licence holder for procession and took the D.J. trolley of petitioner on rent was granted anticipatory bail by the Co-ordinate Bench of this Court vide order dated 17.09.2025 passed in Cr. Misc. No.64169 of 2025. Learned counsel submits that petitioner has got clean antecedent and he undertakes to cooperate in the investigation and trial of the case.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount to each to the satisfaction of the learned ACJM-IV, Patna City in connection with Alamganj P.S. Case No.224 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

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