

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36510 of 2016

Arising Out of PS.Case No. -374 Year- 2015 Thana -AMARPUR District- BANKA

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1. Sudhir Das, S/o Pradeep Das
 2. Manoj Mandal, S/o Late Ganesh Mandal
 3. Subhash Mandal, S/o Bhikhari Mandal
 4. Rudal Mandal, S/o Govind Mandal
 5. Ashok Mandal, S/o Govind Mandal, All resident of village - Pawai, Police Station Amarpur, District Banka.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Advocate.

For the Opposite Party/s : Mr. Sri Sanjay Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 15-09-2016 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Amarpur P.S. Case No. 374 of 2015 registered under Sections 147, 148, 149, 337, 341 and 353 of the Indian Penal Code.

The prosecution case is that informant, Rajesh Kumar Mandal, officer-in-charge of Amarpur Police Station on receiving the information about death of Binod Kumar Mandal, who was driving the motorcycle, due to dashment of motorcycle with truck he reached at the place of occurrence, where mob blocked the road. Informant along with other Government officials convinced the members of mob for that proper compensation would be provided to the family of the deceased. At that time, 10 -15 persons came there

and started slogan against the administration then the informant tried to pacify the matter. Thereafter, 100 to 150 members of mob surrounded the police station and entered in its campus. In that course, Bhagwan Choudhary sustained injury. On the basis of video footage 14 persons including the petitioner were identified.

Learned counsel for the petitioners submits that while the petitioners were identified as one of the members of mob, who were surrounded the police station and entered in the gate but no specific overt act has been alleged against the petitioners.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioners, I am not inclined to grant anticipatory bail to the petitioners. Accordingly, their prayer for grant of anticipatory bail stands rejected. However, the petitioners are directed to surrender before the Court below and prayer for regular bail, which shall be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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