

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41176 of 2016

Arising Out of PS.Case No. -81 Year- 2016 Thana -SHAMBHUGANJ District- BANKA

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1. Vishwanath Prasad Singh @ Lidar @ Litar son of late Harsahi Prasad
Singh resident of Village - Karnpur, P.S. - Shambhuganj, District - Banka.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rana Ishwar Chandra

For the Opposite Party/s : Mr. Sri Sakir Ahmad

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 15-11-2016

Heard both sides.

The petitioner apprehends his arrest in Shambhuganj
P.S. Case No. 81/2016, registered for the offences punishable under
Sections 307, 427, 435 and other Sections of the Indian Penal Code.

The driver of Shambhuganj P.S. alleged that at about
10.00 in the morning when he reached at the police station and he
was awaiting for police constables, strong mob entered into the
police station and set ablaze the police Jeep. The mob tried to throw
the informant in the burning Jeep and also ransacked the entire police
station.

Learned counsel for the petitioner submits that Pankaj
Kumar Paswan, S.H.O. of Shambhuganj lodged Shambhuganj P.S.
Case No. 79 of 2016 under Section 353 and other Sections of the
Indian Penal Code, in which the petitioner is also named as an
accused at serial no. 23 and for the same occurrence the driver of



Shambhuganj P.S. lodged the present case. The petitioner has already been enlarged on anticipatory bail in Shambhuganj P.S. Case No. 79 of 2016 vide order dated 22.09.2016 passed in Cr. Misc. No. 40693/2016. No specific allegation is made against the petitioner. The supervising authority did not find the involvement of the petitioner in the present case, *but* it appears from perusal of the two FIRs that the occurrences are quite different. One occurrence took place in the village Karnpur where the SHO of Shambhuganj had gone to arrest the accused persons in which Dhirendra Prasad Singh was assaulted and he died during course of treatment. In that case no public property was ransacked. The accused persons put the dead body on the road and blocked the road, but in the present case the informant has made very specific allegation that the petitioner was leading the mob and the mob entered into the police station premises and burnt the vehicle and building.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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