

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23833 of 2016

Arising Out of PS.Case No. -116 Year- 2013 Thana -VAISHALI District- VAISHALI(HAJIPUR)

=====

Laldeo Pandit Son of Kishun Pandit

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Man Mohan Kumar, Advocate

For the Opposite Party/s : Mr. Sri Mritunjay Kumar Nirala

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 26-05-2016 Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 353, 307, 337, 427 and 504 of the Indian Penal Code.

Prosecution case is that the informant being of the SHO of Belsar O.P. received the information on 25.05.2013 at about 11.00 AM that the mob has blocked the road in protest against the occurrence for which Bhagwanpur P.S. Case No.109/2013 was registered, levelling accusation under section 376 IPC and section 3(1)(x) (xii) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act. After informing the senior police



officer, the informant went to the place where other officers were also present when with the help of the local Chaukidar and other people, 17 persons including the petitioner were identified, who were leading the mob and 100-150 unknown. The mob was raising slogans against the police and they also armed with lathi, danda and other weapons. The mob become aggressive and they pelted stones and damaged the public vehicle as well the vehicle of the police personnel. It is further alleged that due to pelting stones the general public received injuries.

It is submitted by learned counsel for the petitioner that the accusation is against the mob and the police in order to save its own skin in not taking action in Bhagwanpur P.S. Case No.109/2016, lodged the present case. Furthermore, similarly situated accused persons have been granted anticipatory bail vide Criminal Miscellaneous Nos. 5299/2014. A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the thrust of accusation against the mob, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of

₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Vaishali at Hajipur, in connection with Vaishali (Belsar) P.S. Case No.116/2013, subject to the conditions as laid down under Section 438(2) Cr.P.C.

However, learned court below will be at liberty to cancel the bail bonds of the petitioner, if he defaults for two consecutive occasions.

(Dinesh Kumar Singh, J)

Ashwini/-

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