

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.4586 of 2016

Arising Out of PS.Case No. -153 Year- 2015 Thana -SIMRI District- DARBHANGA

1. Manoj Kumar Mandal Son of Late Devnath Mandal, resident of Village- Simri, Police Station- Simri and District- Darbhanga.
2. Naresh Mandal Son of Late Upendra Mandal, resident of Village- Simri, Police Station- Simri and District- Darbhanga.
3. Tinku Srivastava son of Late Shambhu Prasad, resident of Village- Simri, Police Station- Simri and District- Drbhanga.
4. Om Prakash Thakur son of Ram Jeevan Thakur, resident of Village- Hanuman Nagar, Police Station- Singhwara, and District- Darbhanga.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha

For the Opposite Party/s : Mr. Jitendra Kr.Roy 1(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 03-02-2016

Heard learned counsels for the petitioners
and the State.

The petitioners are apprehending their
arrest in a case registered for the offences punishable under
Sections 147, 148, 149, 447, 332, 333, 353, 337, 338, 153(A),
435, 436, 307, 295(A), 342 of the Indian Penal Code and Section

3 of the Prevention of Damage to Public Property Act.

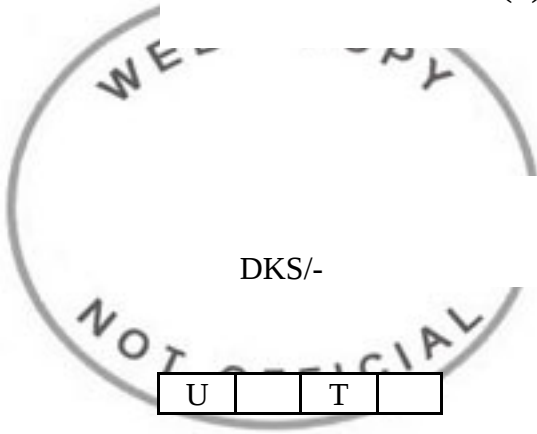
The prosecution case is that on the eve of Chhath festival someone broke the Kalash when 500 people obstructed N.H.57. In the meantime, the mob lit fire to the government vehicles parked in Simri Police Station. It is alleged that petitioner being the husband of the Panchayat Mukhiya and two other persons were leading the mob.

It is submitted by learned counsel for the petitioners that the accusation is omnibus and general against the mob and the public were protested against the action of the miscreants, who broke the Kalash on the eve of Chhath festival, but the police in order to save their own skin lodged the present case.

A statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the aforesaid facts, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Darbhanga in connection with Simri P.S. Case No. 153 of

2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.



(Dinesh Kumar Singh, J)

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