

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.8030 of 2016

Arising Out of PS.Case No. -142 Year- 2015 Thana -NATHNAGAR District- BHAGALPUR

1. Ram Chandra Prasad @ Khantri Mandal @ Ram Chandra Mandal (Mukhiya Gram Panchayat Sahjadpur), Son of Late Saudagar Mandal, resident of village- Amri Dhudela, Niruddinpur, P.S.- Bihpur, District- Bhagalpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Janki Nandan Prasad

For the Opposite Party/s : Mr. Anita Kumari (App)

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 23-02-2016

Heard learned counsel for the petitioner and learned

A.P.P. for the State.

The petitioner apprehends his arrest in connection with Nathnagar P.S.Case No. 142/2015 registered for offences punishable under Sections 147, 148 149, 341, 342, 323, 504, 506, 333, 353, 307 of the Indian Penal Code.

The prosecution case as lodged by the C.O. Nathnagar, Bhagalpur is that on 23.07.2007 disputes arose between persons of two villages regarding construction of road on both sides of the Shahpur bridge, which resulted into clashes necessitating intervention of the local administration. After local administration reached, the villagers became violent, throwing bricks and stones and injured several persons, causing obstruction in due discharge of official duties of the public servants.

Learned counsel for the petitioner submits that the

allegations are general and omnibus as it was a case of mob attack, as more than 1500-2000 villagers were there.

It has been submitted by the learned counsel for the petitioner that he has no criminal antecedent, as is evident from para-3 of this petition and no offence under Section 307 of the I.P.C. is made out nor any overt, specific act has been attributed against the petitioner.

Further more, the petitioner submits that on similar allegation, other accused persons have since been granted the privilege of anticipatory bail by a Co-ordinate Bench of the Court passed in Cr. Misc. No. 58563 of 2015 on 22.01.2016, I do not propose to take a different view on similar allegations.

Under such circumstances, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of eight weeks from today be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned A.C.J.M., Bhagalpur in connection with Nathnagar P.S.Case No. 142/2015, subject to the conditions laid down under Section 438 (2) Cr. P. C.

Sudha/-

(Nilu Agrawal, J)

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