

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.47431 of 2017

Arising Out of PS.Case No. -113 Year- 2017 Thana -MAUZAHDIPUR District- BHAGALPUR

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Ritu Raj Singh, Son of Kalanand Singh, Resident of Loko Railway Colony,
P.S.- Mojahidpur, District- Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha

For the Opposite Party/s : Mr. Mr. Manoj Kumar

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 17-10-2017

Heard learned counsel for the petitioner and

the learned APP for the State.

The petitioner is apprehending his arrest in
a case registered for the offences punishable under Sections 147,
149, 448, 353, 188, 171(F), 295(A) of the Indian Penal Code and
Sections 135(A) and 136 of the Representation of People Act.

It is alleged against the petitioner that the
petitioner and a mob of 400-500 persons stalled the voting
process during Municipal Election, raising issues over
irregularity in voter list. They also shouted Pro-Pakistan slogans.



It is submitted by learned counsel for the petitioner that the accusation has been levelled against 11 named and 300-400 unknown persons. The petitioner and others have been made accused only because they were protesting against the malpractices. Moreover, even assuming the accusation no offence under Section 295(A) IPC is made out against the petitioner as the accusation does not contemplate maliciously humiliating any particular religion, intended to outrage religious feelings of any class. A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Learned APP submits that the accusation is against the mob.

Considering the accusation being omnibus and general against the mob coupled with the fact that the petitioner has no criminal antecedent, moreover, there is nothing on record to suggest that any person has received injury, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Ccourt below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur in connection with Mojahidpur P.S. Case



No. 113 of 2017, subject to the conditions as laid down under
Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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