

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61816 of 2017

Arising Out of PS.Case No. -63 Year- 2017 Thana -PURANHIA District- SHEOHAR

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Rajesh @ Bhardul Sah @ Rajesh Sah, S/o Late Mohan Sah, R/o Village-
Basantpatti, P.S.- Purnahiya, District- Sheohar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhat Kumar

For the Opposite Party/s : Mr. Sri Pradeep Narain Kumar

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

02/ 21-12-2017

Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is apprehending his arrest in
a case registered for the offences punishable under Sections 147,
148, 149, 323, 324, 307, 341, 364, 353, 440, 120B of the Indian
Penal Code and Section 27 of the Arms Act.

The prosecution case, as per the written
report dated 06.08.2017 of Md. Raisuddin, the Block
Development Officer, Purnahiya submitted to the SHO,
Purnahiya Police Station, is to the effect that on 06.08.2017 at
6.00 A.M. one Kishan Das received injury in a road accident and
succumbed to the injuries while under treatment. In protest
thereof, people blocked the road and resorted to damage the



private and government vehicles. It is alleged against the petitioner and others that they were instigating the mob, as a result police personnel and others received injuries, leading to registration of the FIR against 70 named and 200 unknown.

It is submitted by learned counsel for the petitioner that the accusation is omnibus and general against the mob. The police in order to save the skin, for their inaction in handling the protest by the public for inaction in the road accident case, have lodged the present case. The other accused Kamlesh Sharma has been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 19.12.2017 passed in Cr. Misc. No. 58324 of 2017. Though, in another case lodged for the same accident, the petitioner is also an accused.

Learned APP submits that the petitioner is named in the FIR.

Considering the nature of accusation against the mob and similarly situated co-accused has already been granted bail, 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 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



Sub-divisional Judicial Magistrate, Sheohar in connection with
Purnahiya P.S. Case No. 63 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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