

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62120 of 2017

Arising Out of PS.Case No. -734 Year- 2017 Thana -KATIHAR District- KATIHAR

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Shankar Singh @ Shankar Kumar Singh, S/o Brijnandan Singh, R/o
Mohalla- Dahariya, P.S.- Katihar (Sahayak), District- Katihar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar

For the Opposite Party/s : Mr. Sri Sakir Ahmad

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

ORAL ORDER

02/ 22-12-2017

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, 153, 153A, 295, 295A, 353, 323, 337, 338 and 307 of
the Indian Penal Code.

The prosecution case, as per the written
report of Officer-in-Charge, Sahayak Police Station addressed to
the Officer-in-Charge, Katihar Police Station, is to the effect that
on 02.10.2017 at 3.00 P.M. on the eve of Muharram the
informant was on patrolling duty, in the meantime, SHO of



Town Police Station directed him to reach near Marwari Pathshala and when the informant reached he saw that around 300 persons from Hindu Community had assembled, being armed with deadly weapon and had blocked the road and assaulted the Muslim passersby and when the informant reached Sarifganj chowk, he found 400 persons from Muslim community had assembled, and they were also assaulting the Hindu passersby and thereafter both the communities started pelting the stones on each other and the informant also received injury around his ear. On the order of Magistrate, police resorted to fire and thereafter the accused persons escaped from the scène.

It is submitted by learned counsel for the petitioner that the accusation is omnibus and general against the mob. A statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent and the police in order to save the skin has lodged the present case.

Considering the nature 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 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, Katihar in connection with Katihar
Town (Sahayak) P.S. Case No. 734 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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