

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58328 of 2017

Arising Out of PS.Case No. -282 Year- 2017 Thana -DIGHA District- PATNA

- =====
1. Chandravanshi Mukhiya @ Chandravanshi Singh, S/o Late Sital Singh, Resident of Mohalla- Digha Ghat, P.S.- Digha, District- Patna.
 2. Anchal Kumar @ Anchal Kumar Sinha, S/o Shankar Prasad Mehta, Resident of Mohalla- Digha Pati Pul, P.S.- Digha, District- Patna.
 3. Pramod Kumar @ Pramod Paswan, S/o Late Dipnarayan Ram, Resident of Mohalla- Digha Pati Pul, P.S.- Digha, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh

For the Opposite Party/s : Mr. Sri Upendra Kumar

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 19-12-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Digha P.S. Case No. 282 of 2017 instituted for the offence under Section-307 & other minor Sections of the Indian Penal Code and 27 of the Arms Act.

It has been submitted that petitioners are merely alleged to be members of unlawful assembly.

In the written report, it is alleged that police party has gone to remove the encroachment in view of the memo of the District Magistrate, Patna and letter of Managing Director, Bihar State Housing Board, Patna. During course of measurement and removing the encroachment, several people assembled and started protest and throwing stones. Mob also attacked on the government officials who



sustained injuries.

Counsel for petitioners has submitted that other co-accused with similar allegation have been granted anticipatory bail by this court vide order dated 11-12-2017 passed in Cr. Misc. No. 58182 of 2017.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners named above in the event of their arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Digha P.S. Case No. 282 of 2017 to the satisfaction of learned Sub Divisional Judicial Magistrate, Patna subject to condition as laid down u/S 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bond of the petitioners and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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