

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54277 of 2016

Arising Out of PS.Case No. -98 Year- 2009 Thana -JHANJHARPUR District- MADHUBANI

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Shambhu Mandal, son of Asharfi Mandal, resident of Village- Berma, P.S.-
Madhepur, District- Madhubani.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kishore Kumar Thakur, Advocate.

For the Opposite Party/s : Mr. Sri Madan Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

5 22-02-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehend his arrest in connection
with Jhanjharpur P.S. Case No. 98 of 2009 registered under
Sections 147, 148, 149, 307, 333, 132, 133, 435, 436, 427, 452,
380, 504 and 506 of the Indian Penal Code and Section 3/4 of the
Damage to Public Property Act, pending in the court of A.C.J.M.,
Jhanjharpur.

The accusation is that, on hearing the loud voice on
the road, informant being the Sub-Inspector of Jhanjharpur Police
Station and other police officials reached there and saw one dead
body sustaining injury in the accident. He also came to know that
deceased was dashed by the truck which was in high speed
moving towards Phulparas. While attempt was made to intercept
the truck but the truck could not be intercepted. In the meantime,



rumor spread about concealing the Driver and Khalasi of the said truck in the police station. Thereafter, mob entered in the police station, burned motorcycle and Jeep of the police station and damaged the materials kept in the Malkhana. The mob also looted the pistol and live cartridges kept in the Malkhana. At that time, 56 persons including the petitioner were identified.

Learned counsel for the petitioner submits that petitioner being the vegetable vendor was present in side the road and he has been implicated in this case mere on suspicion.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, his prayer for grant of anticipatory bail stands rejected. The petitioner is directed to surrender before the trial court within four weeks and pray for regular bail, which would be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

Bhardwaj/-

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