

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.62074 of 2017

Arising Out of PS. Case No.-207 Year-2017 Thana- SAHEBGANJ District- Muzaffarpur

1. Md. Rikki, S/o- Md. Ehasan,
2. Md. Manjoor, S/o- Md. Jalil, Both R/o- Village- Asha Patti Parsauni, P.S.- Sahebganj, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yashraj Bardhan

For the Opposite Party/s : Mr. GANESH PRASAD SINGH

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 22-12-2017 Heard learned counsels for the petitioners and State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 332, 337, 338, 427, 504 and 353 of the IPC, Sections 3 and 4 of the Prevention of Damage to Public Property Act and Sections 3 and 4 of the Essential Public Service Act.

The prosecution case is that the informant, being the S.I., of Sahebganj Police Station, received information that one person had died in a road accident near Khuraunda Petrol Pump, upon which the informant reached the place of occurrence where 100-150 persons were raising slogans against the administration and they pelted stones and damaged several cars including the government vehicles.

It is submitted by learned counsel for the petitioners that



the accusation is omnibus and general against the mob. The FIR has been lodged against 8 named and 100 unknown persons. The petitioners have been named in the FIR.

It is further submitted that the police, in order to save its skin for inaction in the road accident, has maliciously lodged the present case. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

Considering the fact that the accusation is omnibus and general against the mob and that the petitioners are not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Sub-Judge-I-Cum-ACJM-I, (West) Muzaffarpur in connection with Sahebganj P.S. Case No. 207 of 2017, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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