

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18018 of 2017

Arising Out of PS.Case No. -215 Year- 2016 Thana -BIBHUTIPUR District- SAMASTIPUR

- =====
1. Prem Lal Mahto, Son of Late Jageshwar Mahton,
 2. Ram Sobha Das, Son of Late Ram Swaroop Das, Both resident of Village- Bhuswar.
 3. Ganeshi Mahto, Son of Sonu Mahton, resident of Village- Basauna, All Police Station- Bibhutipur, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mritunjay Kumar
For the Opposite Party/s : Mr. Sri Ajay Kumar -2

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 03-05-2017 The petitioners are apprehending their arrest in connection with Bibhutipur P.S. Case No. 215 of 2016, registered for offences punishable under Sections 143, 144, 147, 149, 353, 333, 307, 431 and 427 Indian Penal Code.

Petitioner is named in the F.I.R and allegation against the petitioner that he along with other several people were protesting on the road for death of a person and obstructed the traffic and when the police tried to control the mob, they started pelting brick and stones.

It has been submitted on behalf of the petitioner that no specific allegation of assault to anyone has been levelled against the petitioner, he is only said to be a member of mob and similarly



situated persons have already been granted the privilege of anticipatory bail by this Court vide order dated 03.03.2017 passed in Criminal Miscellaneous No. 5182 of 2017.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances of the case, nature of allegation, I am not inclined to grant petitioner the privilege of anticipatory bail rather petitioner should surrender before the court below and make prayer for regular bail and if any such application is filed, the court below after considering the submission of learned counsel for the petitioner and also after considering the fact that other similarly situated persons have already been granted bail, shall pass an appropriate order, if possible on same day, without being prejudiced by the order of this Court.

With the above observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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