

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9608 of 2018

Arising Out of PS.Case No. -772 Year- 2017 Thana -PHULWARI District- PATNA

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Chitranjan Kumar, Son of Vijay Yadav @ Vijay Kumar, Resident of
Village – Hinduni, P.S. Phulwari Sharif, District – Patna, at present residing
at Kaladanda Himmatganj, Police Station + District – Allahabad (U.P.)

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nagmani Kumar

For the Opposite Party/s : Mr. Smt Renu Kumari

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

02/ 17-02-2018

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, 353, 341, 323, 332, 337, 338, 295, 295A, 153A, 307,
435, 436, 427, 504, 506, 120B of the Indian Penal Code and
Section 27 of the Arms Act.

The prosecution case as per the written
report of Inspect of Police –cum- Station House Officer of
Phulwarisharif Police Station dated 02.12.2017 is to the effect
that on 02.12.2017 on the eve of Urs festival, the informant



being a police officer was on patrolling duty, when he received an information on his mobile that a procession is going towards the prohibited route and when the informant reached there, he found that mob of Hindu and Muslim community were pelting stones and setting the shops on fire, as a result the FIR was lodged against 64 named and 400-500 unknown.

It is submitted by learned counsel for the petitioner that the accusation has been levelled against the mob and the police in order to save its failure has lodged the present case. The accusation is not specific. Though the petitioner is accused in one other case under Excise Act, but he is on bail, though, statement to that effect has not been made in the petition and co-accused Sanjit @ Sanjit Kumar @ Jaunty has been granted regular bail by a co-ordinate Bench of this Court vide Cr. Misc. No. 5827 of 2018.

Considering the 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 Sub Judge XV – cum- AC.J.M., Patna in connection with Phulwarisharif P.S.



Case No. 772 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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