

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48851 of 2018

Arising Out of PS. Case No.-91 Year-2018 Thana- BHAGWANPUR District- Bhabhua
(Kaimur)

Vakil Paswan S/o Late Shri Ram Paswan, R/o Vill.- Kurtha, P.S.- Bhagwanpur
(Belaon), District- Kaimur at Bhabua.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Manoj Kumar, Adv. Mr. Pawan Kumar Singh, Adv.
For the Opposite Party/s	:	Mr. Chandrasen Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 20-08-2018 Heard Sri Manoj Kumar, learned counsel, assisted by

Sri Pawan Kumar Singh, learned counsel for the petitioner and

Sri Chandrasen Prasad Singh, learned Addl. Public Prosecutor.

The sole petitioner, who is in custody since
07.05.2018 in Bhagwanpur (Belaon) P.S. Case No.91 of 2018
registered for the offence under Sections 147, 148, 149, 323,
307, 332, 333,353, 427 of the Indian Penal Code, has prayed for
grant of bail.

Learned counsel for the petitioner submits that in this
case, several persons have been made accused in the F.I.R.
including the petitioner on vague accusation, as if, the petitioner
was one of the members, who assaulted the officials, who had
arrived for removal of encroachment. He further submits that



many other accused persons have already been granted bail.

Sri Chandrasen Prasad Singh, learned Addl. Public Prosecutor has opposed the prayer for grant of bail.

Besides hearing, I have also perused the material on record, particularly the F.I.R. In this case, the accusation is that the administration had gone to remove encroachment, whereupon the officials were attacked by the mob and the petitioner is also one of the members of the mob. In such cases, the Court may not take lenient view, otherwise it will amount to encourage others.

Accordingly, I do not find any ground to pass favourable order presently. However, the petitioner would be at liberty to renew his prayer for bail after completion of nine months in custody.

With above observation, the petition stands dismissed.

(Rakesh Kumar, J.)

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