

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.12277 of 2018

Arising Out of PS.Case No. -282 Year- 2017 Thana -DIGHA District- PATNA

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Vijay Rai @ Vijay Kumar S/o Sri Ganesh Rai, R/v Digha, P.S.- Digha,
Distt.- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha

For the Opposite Party/s : Mr. Sri Nagendra Prasad

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

02/ 28-02-2018

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 144,
145, 146, 147, 148, 149, 114, 115, 342, 323, 307, 353, 395, 397,
186, 332, 333, 336, 337, 338, 427, 504 of the Indian Penal Code
and 27 of the Arms Act.

The prosecution case got initiated on the
written report of Ajay Kumar, Circle Officer, Patna Sadar on
05.09.2017 addressed to the Station House Officer of Digha P.S.
is to the effect that in pursuance to the direction of the District
Magistrate and the Managing Director, Bihar State Housing
Board, the informant along with other officials went for the
measurement and maintaining law and order situation in Digha



area. During the measurement the mob went ahead and started pelting stones as a result several police personnel received injuries. The mob also lit fire to the police jeep as well as JCB machine leading to registration of the FIR against 132 named including the petitioner and 100-1200 unknown.

It is submitted by learned counsel for the petitioner that the accusation is not specific. The accusation is against the mob and similarly situated accused persons have been granted anticipatory bail vide Cr. Misc. Nos. 58182 of 2017, 59533 of 2017 and 58328 of 2017, as contained in Annexure-2 series.

Learned APP, however, submits that the petitioner is also named in the FIR and the mob not caused injury to the police personnel but also damaged the police jeep by putting them on fire.

Considering the accusation against the mob, a statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent and similarly situated persons have been granted anticipatory bail, 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-divisional Judicial Magistrate, Patna in connection with Digha P.S. Case No. 282 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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