

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54663 of 2017

Arising Out of PS.Case No. -169 Year- 2017 Thana -MANJHI District- SARAN

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1. Monu Singh, Son of Raghu Bansh Singh,
2. Mrityunjay Kumar Singh, alias Mrityunjay Singh. Son of Late Nagu Singh.
3. Radha Mohan Singh, Son of Late Hari Ram Singh,
4. Ravi Singh alias Ravindra Kumar Singh, Son of Late Ram Ekbal Singh,

All residents of village- Dhelhari, P.S.- Revilganj, District- Saran at Chapra.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Kumar

For the Opposite Party/s : Mr. Sri Khurshid Anwar

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 17-01-2018

Heard the learned counsels for the parties.

The petitioners seek bail in anticipation of their arrest in connection with Manjhi P.S. Case No. 169/2017 dated 15.08.2017 instituted for the offences under Section 147, 148, 149, 323, 341, 324, 307 and 353 of the Indian Penal Code.

The informant, who is the driver of the police vehicle, has alleged that on the day of the occurrence, he along with the police team had come out of the police station for day patrolling, the team was informed that a person is making attempts to commit suicide. The police team found that a motorcycle was left on the road and somebody had jumped in the Saryu River. In



the meantime, about 10-15 persons arrived and seeing the police vehicle and the police team, they started sloganeering against the local police and the informant and others were assaulted.

Learned counsel for the petitioner has submitted that a general and omnibus allegation has been levelled against the entire crowd, of which the petitioners also are alleged to be part. In the last part of the F.I.R., it has been alleged by the informant that in the crowd, which had gone beyond control, he identified the petitioners as well. However, the informant has not stated as to in what connection, he identified the petitioners. No specific act has been attributed against them; rather a vague and general allegation has been levelled that all the persons, who had assembled there, because of their ire with the local police, assaulted him and his friends. It has further been submitted that the injury suffered by the informant and his associates are simple in nature and do not make out a case under Section 307 of the Indian Penal Code. He has submitted that the petitioners are persons of clean antecedents and that they have been falsely implicated in this case on mistaken identity. They were only the bystanders when a pandemonium was spotted at the place where the occurrence is said to have been committed.



Considering the aforesaid facts, the petitioners above named are directed to be released on bail, in the event of their surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, subject to their furnishing bond in the sum of Rs. 10,000/- (Ten Thousand), with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. Vth, Saran at Chapra in connection with Manjhi P.S. Case No. 169/2017.

(Ashutosh Kumar, J.)

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