

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39834 of 2018

Arising Out of PS. Case No.-116 Year-2017 Thana- PHULWARIA District- Begusarai

Bhola Rai Son of Dinesh Ray Resident of Village- Baro, Baro Gachhi, Tola,
Ward No. 10, P.S. Phulwaria, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Randhir Kumar No-1

For the Opposite Party/s : Mr. Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-07-2018 Heard learned counsels for the parties.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 147,148,149,153A,353A,295A,332,327,337,307 and 427 of the IPC and Section 27 of the Arms Act.

The prosecution case as per the self-statement of Vivek Bharti, Sub-Inspector of Police-cum-SHO, Phulwariya Police Station is to the effect that on 2.10.2017 during immersion of idol of Goddess Durga, a mob of 400-500 people were raising communal slogans and were playing vulgar songs. They also blocked the road and disturbed the traffic. The accused persons also resorted to fire in air.

It is submitted by learned counsel for the petitioner that the accusation is against the mob as the FIR is against 44 named



and 500 unknown. Statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent. It is further submitted that similarly situated accused have been granted anticipatory bail by different Benches of this Court vide Cr. Misc. Nos. 3077 of 2018, 3951 of 2018 and 3059 of 2018.

Learned APP submits that the petitioner is named in the FIR.

Considering the accusation against the mob, statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent and other similarly situated accused have been granted anticipatory bail, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned JM Ist Class, Begusarai, in connection with Phulwaria P.S. Case No.116 of 2017 subject to the conditions laid down in Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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