

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57915 of 2018

Arising Out of PS. Case No.-99 Year-2018 Thana- ROSERA District- Samastipur

Subham Kumar Sahu @ Shubham Kumar @ Sonu, son of Sri Sanjay Sah @
Sanjay Kumar Sahu, Resident of Baijupur Chowk, P.S. Rosera, District-
Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Chandra, Adv.

For the Opposite Party/s : Mr. Sir Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 20-09-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Sections 120B, 147, 148, 149,
153,153A,153B,295,298,379,427,307,323,332,337,338,341,353,
504 of the Indian Penal Code.

The prosecution case got initiated on the basis of written
report dated 27.03.2018 submitted by Narendra Kumar, Circle
Officer, Rosera to the Station House Officer, Rosera, Samastipur
Police Station is to the effect that on 27.03.2018, the informant,
being the Circle Officer, received information that 200-250
people assembled near a Masjid situated at Gudri Bazar, Rosera
and attempted to disturb the law and order. The informant along



with S.D.O., Rosera, other police personnel and police force reached at the place of occurrence and took efforts to control the situation. The mob were raising objectionable slogans and they claimed to be members of Bajrang Dal and others. When the police tried to use force then the mob protested and blocked the road. The mob also blocked the movement of the train and they burnt two motorcycles. On the basis of the video footage 54 persons were named in the FIR, including the petitioner and 100 unknown.

It is submitted by learned counsel for the petitioner that the petitioner's shop is situated at the place of the occurrence, hence, he has been roped in the present case. There is no specific accusation against the petitioner. The specific accusation is against one Mohan Singh. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent and others.

It is submitted by learned APP for the State that the petitioner was also actively participating in disturbing the law and order situation, along with the mob.

Considering the fact that the accusation is not specific against the petitioner, rather it is against one Mohan Singh and 54 others, coupled with statement made in paragraph no.3 of the



petition that the petitioner is not having any criminal antecedent, 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 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned 1st ACJM, Rosera, in connection with Rosera P.S. Case No.99/2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Ashwini/-

U		T	
---	--	---	--

