

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26043 of 2018

Arising Out of PS.Case No. -125 Year- 2018 Thana -BHABHUA District- BHABHUA (KAIMUR)

1. Shrawan Patel (Mukhiya) @ Shrawan Kumar Patel, son of late Kripa Narayan Singh, resident of village- Betari, Police Station-Bhabua, District- Kaimur (Bhabua).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Chaudhary, Advocate

For the Opposite Party/s : Mr. Ashok Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 25-06-2018

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in **Bhabua P.S.**

Case No.125 of 2018 instituted for the offence under Section(s)

147, 148, 149, 341, 323, 307 Indian Penal Code.

In the written report, it is alleged that the informant along with his nephew were coming from Chainpur and when they reached at Betari village, about 50 persons assembled and abused them. They also started raising slogan of *Har Har Mahadev*. The informant and other sustained minor injury in the scuffle. It is alleged that this petitioner, who was Mukhiya, was leading the mob.

In such circumstances, in the written report itself, there is no allegation of committing any assault against the



petitioner. There is general and omnibus allegation of leading the mob against the petitioner.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with **Bhabua P.S. Case No.125 of 2018**, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the **Chief Judicial Magistrate, Kaimur, Bhahua**, subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions: (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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