

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3364 of 2018

Arising Out of PS.Case No. -87 Year- 2017 Thana -BIKRAMGANJ District- SASARAM
(ROHTAS)

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1. Sushil Singh, Son of Virendra Singh, Resident of Village- Maidhara,
Police Station- Bikramganj, District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhaneshwar Prasad Gupta

For the Opposite Party/s : Sri Amit Kumar Rakesh

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 02-02-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends arrest in connection with
Bikramganj Police Station Case No. 87 of 2017 registered for the
offences under sections 147, 148, 149, 341, 323, 324, 307, 153,
153(A), 295, 295A, 337, 338, 353, 332, 435, 436, 379, 427 and
120 (B) of the Indian Penal Code.

Prosecution case as per the written report of Ram
Kumar Pal, S.I. of P.S. Bikramganj, is to the effect that on
05.04.2017, while the informant along with Magistrate and Police
force were performing law and order duty at Tenduni Chowk, at
around 6 P.M., during the procession of Ram Navmi, some fanatic
slogans were raised, which created chaos due to the protest made



by the Muslim community. Subsequently, resulted into stone pelting from both sides.

It is submitted by learned counsel for the petitioner that the FIR was registered against 18 named including the petitioner and 100 unknown. The accusation is omnibus and general. For the same incident another case bearing Bikramganj Police Station Case No. 86 of 2017 was also lodged. Moreover, similarly situated accused, Kumud Ranjan Tiwary @ Kumud Ranjan and Sonu Pandey have been granted anticipatory bail in Cr. Misc. No. 43574 and 61909 of 2017 whereas, co-accused Golu @ Goldu has been granted regular bail in Cr. Misc. No. 47972 of 2017 by a co-ordinate Bench of this Court. The case of the petitioner stands on similar footing.

Considering the accusation against the mob and that other co-accuseds having similar allegation have been granted anticipatory/regular bail, the prayer for anticipatory bail of this petitioner is allowed and the above named petitioner in the event of arrest or surrender before the learned court below within six weeks from today, is directed to be released on bail 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, Bikramganj, Rohtas in connection with



Bikramganj Police Station Case No. 87 of 2017, subject to conditions as laid down under section 438(2) Cr.P.C. with further conditions: (1) one of the bailors of the petitioner shall be local person having sufficient immovable property within the jurisdiction of the concerned Court, (2) the petitioner will not induce any witness or tamper with the evidence (3) the petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and (4) If the petitioner is found involved in similar type of offence in future, the prosecution will have liberty to move for cancellation of his bail.

(Sanjay Kumar, J)

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