

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30616 of 2018

Arising Out of PS. Case No.-97 Year-2018 Thana- BARBIGHA District- Sheikhpura

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1. Bhalla Jee, S/o Late Bipin Prasad Singh,
 2. Dhiraj Singh S/o Sri Umakant Singh,
- Both are R/o Vill.- Mour, P.S.- Barbigha in the District of Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 18-05-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147/148/149/186/307/323/337/341/353/427 of the Indian Penal Code.

The prosecution case, which got initiated on the basis of self statement of Santosh Kumar Singh, the Inspector of Police-cum-the SHO, Barbigha Police Station is to the effect that on 10.04.2018 at 9.00 A.M, the informant received information that on the eve of 'Bharat Band', some persons have blocked the Sheikhpura-Barbigha and Biharsharif Road, upon which, the informant along with other police personnel reached on the spot and saw that several people armed with lathi had blocked the



road by burning tyres. As soon as the police force reached there, the mob started pelting stones. On information, the senior police officers also reached on the spot and tried to pacify the mob became, but the mob agitated and started pelting bricks, stones and bottles, causing injuries to several police personnel. Thereafter, the police in order to disperse the mob, burst the tear gas. Consequently, five persons were apprehended. The apprehended accused identified 10 more persons, including the petitioner no.2, Dhiraj Singh.

It is submitted by learned counsel for the petitioners that the accusation is against the mob. The name of the petitioners sprang up on the statement of apprehended accused persons. The petitioners were neither apprehended on the spot, nor any recovery has been made from their possession. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

It is submitted by learned APP for the State that the petitioners are named in the FIR.

Considering the fact that the accusation is against the mob and it appears that none has received any injury, coupled with statement made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, let the above



named petitioners 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) each with two sureties of the like amount each to the satisfaction of the learned CJM, Sheikhpura, in connection with Barbigha P.S. Case No.97 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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