

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37756 of 2018

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Sushil Singh @ Sushil Kumar Singh, Son of Anup Lal Singh, Resident of
Village – Salarpur, P.S. Parbatta, District – Khagaria. Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 02-07-2018

Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 147, 149, 341, 323, 188, 120B, 504, 353, 109 and 151 of the Indian Penal Code.

The prosecution case as per the written report of Ranjan Kumar Das, Block Statistics Officer, Parbatta is to the effect that on 17.09.2017 when the informant and others went to remove encroachment from the proposed land of Electric Sub-station, then they were faced with protest from the mob, who raised slogans against the authorities. It is alleged against the petitioner that he instigated the villagers and thereby abetted the offence.



It is submitted by learned counsel for the petitioner that FIR suggests that the accusation has been levelled on the basis of statement of local chaukidar, as well as video clippings but, in fact, on the application of the petitioner before the State Election Commission the FIR was lodged against the local Panchayat Mukhiya, who was the instrumental in getting the petitioner implicated in the present case. Even assuming the accusation levelled in the FIR to be true, the petitioner was not present at the place of occurrence and similar cases have also been lodged against the petitioner and apart from that no other case is pending against the petitioner and a co-accused has been granted anticipatory bail by a co-ordinate Bench of this Court vide Cr. Misc. No. 5944 of 2018.

Considering the accusation against the mob and the fact that there is no specific accusation against the petitioner, 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 twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with Parbatta (Bharatkhand) P.S. Case



No. 315 of 2017, subject to the conditions as laid down under
Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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