

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.8985 of 2018**

Arising Out of PS.Case No. -282 Year- 2017 Thana -DIGHA District- PATNA

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Santu Kumar, S/o Mahesh Thakur @ Mahesh Sharma, R/o I.T.I. Hostel,  
Gate No. 93, Bans Kothi, P.S.- Digha, District- Patna.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Akhauri Kamal Kishore Sahay, Adv.

For the Opposite Party/s : Dr. Ajeet Kumar, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

3      23-03-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Digha P.S. Case No. 282 of 2017** instituted for the offence under Sections 144, 145, 146, 147, 148, 149, 114, 115, 342, 323, 307, 353, 395, 397, 186, 332, 333, 336, 337, 338, 427, 504 of the Indian Penal Code and Section 27 of the Arms Act.

There is general and omnibus allegation that unruly mob attacked on government officials when they had gone to remove encroachment in view of Memo of District Magistrate, Patna and letter of Managing Director, Bihar State Housing Board, Patna, for measurement and removal of encroachment from government land in Rajiv Nagar.

Learned counsel for the petitioner has submitted that he was merely member of unlawful assembly. There is no specific



allegation against the petitioner of assaulting anyone. It has further been submitted that other co-accused persons have already been granted anticipatory bail by this Court vide order dated 19.12.2017 passed in Cr. Misc. 58328 of 2017.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Digha P.S. Case No. 282 of 2017**, 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 **learned Sub Divisional Judicial Magistrate, Patna**, 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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