

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37843 of 2018

Arising Out of PS. Case No.-112 Year-2017 Thana- BHAGWANPUR District- Bhabhua
(Kaimur)

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Birbal Mushar @ Vimal Mushar S/o Rambriksh Mushar, R/o Vill.- New Basti
Tori, P.S.- Bhagwanpur, District- Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan
For the Opposite Party/s : Mrs. Anita Kumari

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 04-07-2018 Heard learned Counsels for the petitioner and the

State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 147, 148, 149, 332, 283, 353 and 504 of the Indian Penal Code.

The prosecution case, as per the written report of Dhananjay Kumar Singh, S.H.O. Bhagwanpur P.S., submitted to the learned A.C.J.M., Bhabua, is to the effect that in a road accident Jagjiwan Mushar died as he was hit by a motorcycle, for which a case was registered but the mob blocked the road, created nuisance and obstructed the police force in discharging their official duties.

It is submitted by the learned counsel for the



petitioner that the petitioner is named on the indication of chowkidar. The accusation is against the mob. Neither any damage to any property nor any injury to anyone was caused by the mob. It is further submitted that similarly situated co-accused have been granted anticipatory bail by a bench of this court vide Cr. Misc. No. 32700 of 2018.

Learned APP submits that the petitioner has been named in the F.I.R.

Considering the accusation against the mob and the fact that no damage to any property was made or any injury to any person was caused, coupled with the statement made in paragraph 3 of the petition that the petitioner is having no criminal antecedent, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-V, Kaimur at Bhabua in Connection with Bhagwanpur P.S. Case No. 112 of 2017, subject to the conditions laid down in Section 438(2) of the Cr.P.C.

anil/-

(Dinesh Kumar Singh, J)

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