

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56480 of 2018

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

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1. Janardan Prasad Singh @ Janardan Rai Son of Nawal Rai@
Nawal Kishore Singh Resident of Mohalla/ Village- Haripur
Colony, P.S. Digha, District- Patna.
2. Dilip Kumar@ Dilip Son of Loha Singh Resident of
MOhalla/Village- Haripur Colony, P.S. Digha, District- Patna.
... .. Petitioner/s

Versus

1. The State of Bihar.
2. Ajay Kumar (Circle Officer) Son of Harindra Prasad Resident of Village-
Pataira, P.S.- Mufassil, District- East Champaran.
... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh
For the Opposite Party/s : Smt. Reena Sinha

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 20-09-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

In this case, the petitioners are apprehending their
arrest in connection with Digha P.S. Case No. 282 of 2017 registered
for offences under sections 144, 1145, 146, 147, 148, 149, 114, 115,
342, 323, 307, 353, 395, 397, 186, 332, 333, 336, 337, 338, 427 and
504 of the Indian Penal Code and Section 27 of the Arms Act.

An allegation has been made that the petitioners that
the police party along with the Magistrate had gone for removing the
encroachment, whereafter, the mob of people including men and
women as also children, attacked the law enforcing agency and also
damaged the property of the Government.

Learned counsel for the petitioners submits that there is
no specific allegation against the present petitioners although they



were the members of the mob.

Looking to the entire facts and circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Sub-Divisional Judicial Magistrate, Patna/ Successor Court/ Concerned Court in connection with Digha P.S. Case No. 282 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to condition that whenever the police will call the petitioners for investigation/interrogation, he will remain present and if they would not present themselves, the privilege of grant of anticipatory bail shall be deemed to have been canceled.

It is also made clear that, in future, if the petitioners would be found involved in similar type of offence, the prosecution will be at liberty to make a prayer for cancellation of the anticipatory bail granted today to the petitioners.

(Shivaji Pandey, J)

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