

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5891 of 2019

Arising Out of PS. Case No.-38 Year-2018 Thana- LADAIYATAR District- Munger

AMIT KUMAR S/o Bindesh Saw Resident of Village- Bangal Was, P.S.-
Laraiyatanr, District- Munger.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh
For the Opposite Party/s : Mr.Anil Kumar

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 04-02-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Laraiyatanr P.S. Case No. 38 of 2018 for the offence under Sections 147, 148, 149, 341, 323, 332, 333, 337, 353, 295A, 495A, 505(2) and 504 of the Indian Penal Code.

There are 16 persons named in the First Information Report and 40-45 persons are not named, who are said to have indulged in the act of rioting. From the First Information Report, it appears that persons of two different communities had indulged initially in some heated exchange of words and thereafter allegedly the persons accused in this case assaulted the members of the other community.

Learned counsel for the petitioner is correct in his submission that the allegations are general and omnibus and that



there is no probability for the Chowkidar to name all the accused persons giving the details of their names, parentage and their age. It is submitted on behalf of the petitioner that implication of this petitioner by naming him in the First Information Report is an afterthought.

Considering the above, this application is allowed.

Let the petitioner above named, in the event of his arrest/surrender within six weeks from today in the Court below, be released on bail 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.-II, Munger in Lariyatan P.S. Case No. 38 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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