

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10996 of 2019

Arising Out of PS. Case No.-14 Year-2018 Thana- MANJHI District- Saran

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Sachin Yadav @ Shiv Kumar, S/o Jagnarayan Yadav @ Jagnarayan Rai
village-Baniyapur (Bedauli), P.S-Baniyapur, Distt.-Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manish Chandra Gandhi

For the Opposite Party/s : Mr.Mohammed Arif

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 25-02-2019 Heard learned counsels for the petitioner and State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 342, 324, 332, 333, 337, 338, 307, 188, 291, 427 and 353 of the IPC and Section 9 of the Bihar Control of the Use and Play of Loud-Speaker Act, 1955.

The prosecution case, as per the written report of Lalu Prasad Mallah, A.S.I., dated 25.01.2018, submitted to the Station House Officer, Manjhi Police Station, is to the effect that on the same day at 11 A.M., when the informant monitoring the idol immersion of Goddess Sarswati, he came to know that at Chainpur Village in the procession for immersion of Goddess Sarswati, the members of the procession are playing vulgar music on D.J. with dancers when it was found that procession of



150-200 people were lead by Saurabh Sahani @ Pandit, but in spite of the direction of the police, mob did not stop playing the obscene musing and doing obscene activities. Subsequently, it was found that co-accused Saurabh Sahani @ Pandit was instigating the mob when the 32 persons including the petitioner were identified having indulged in the obscene activities.

It is submitted by learned counsel for the petitioner that the accusation is omnibus and general against the mob. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the petitioner obstructed the police in discharging the official duty.

Considering the fact that accusation is omnibus and general against the petitioner, coupled with the statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest/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 like amount each to the satisfaction of learned ACJM-II, Saran at Chapra in connection with Manjhi P.S. Case No. 14 of 2018, subject to the condition



as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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