

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16759 of 2019**

Arising Out of PS. Case No.-245 Year-2018 Thana- THAWE District- Gopalganj

Sonu Prasad @ Sonu Kumar @ Sanu Kumar, Son of Lalan Prasad, Resident
of village Dhatiwana, P.S. Thawe, District Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Naresh Prasad

For the Opposite Party/s : Mr.Nirmal Kumar Sinha

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER**

2 25-03-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 323, 307, 153A, 292, 295A, 427, 504, 120B, 353, 332 and 333 of the Indian Penal Code.

The prosecution case, as per the written report of Circle Officer, Thawe submitted to the Station House Officer of Thawe Police Station, is to the effect that on 13.12.2018 at 8.30 A.M., the informant received information through telephone that the mob is demolishing the under constructed Mosque situated at village Dhatiwana, consequently police reached on the spot and found that the mob armed with lathi, danda, sword, hockey stick, iron rod and spear is demolishing the under constructed



Mosque and police intervened and during intervention, the police personnel received injuries.

It is submitted by learned counsel for the petitioner that the accusation is against the mob as the FIR has been lodged against 31 named and 150 unknown. The petitioner is named in the FIR. It is further submitted that Title Suit No. 800 of 2018 is pending with regard to the land in question between the parties on which the Mosque is being constructed and similarly situated co-accused persons have been granted anticipatory bail by a Co-ordinate Bench of this Court vide order dated 19.02.2019 passed in Cr. Misc. No. 9664 of 2019. A statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the petitioner is named in the FIR with specific accusation.

Considering the accusation against the mob and accusation being levelled in the background of admitted land dispute, coupled with the statement made in paragraph 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 or 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 the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj in connection with Thawe P.S. Case No. 245 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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