

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23245 of 2019

Arising Out of PS. Case No.-74 Year-2016 Thana- PHULWARIA District- Begusarai

DR. SANJEEV KUMAR BHARTI @ SANJEEV BHARTI Son of Sitaram
Mahto, Resident of Village - Taradda, P.S.- Fulwaria, Distt - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arjun Prasad

For the Opposite Party/s : Mr. Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 11-04-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

In this case, the petitioner is seeking anticipatory
bail in connection with Fulwaria P.S. Case No. 74 of 2016
registered for offence punishable under sections 147, 148, 149,
341, 342, 323, 353, 332, 427, 504 and 120B of the Indian Penal
Code.

Allegation has been made that on the day of
occurrence at about 9.35 P.M., the police started the night
patrolling and in that course, restrained the sale of wine and
toddy whereupon large number of persons of the village
assembled and started raising protest. The allegation made
against the petitioner to have instigated the crowd which
became aggressive and violent on the road and they have put



the fire on the wood bench and blocked the traffic.

Allegation has been made against the petitioner to have instigated the crowd for resorting the vandalism and on that account incident took place.

The learned counsel for the petitioner submits that save and except instigation, against the petitioner no specific allegation has been made to resort the vandalism. The petitioner has no criminal history.

Looking to the facts and circumstances of the case, the prayer for bail of the petitioner is allowed and he, in the event of arrest or surrender before the court below within six weeks from today, is directed to be enlarged on anticipatory bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Judicial Magistrate 1st Class, Begusarai in connection with Fulwaria P.S. Case No. 74 of 2016, subject to the conditions as laid down under section 438 Cr. PC and also subject to the condition that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court. The petitioner will not induce any witness or tamper with the evidence. The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the



court. If the petitioner is found involved in similar type of allegation in future, the prosecution will have liberty to file an application for cancellation of his bail bond.

(Shivaji Pandey, J)

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