

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20183 of 2019

Arising Out of PS. Case No.-348 Year-2018 Thana- CHANPATIA District- West Champaran

Abhishek Kumar Son of Sanjay Kumar @ Sanjay Mahto, Resident of Village - Nawka Tola, Lagunaha, P.O.- Rai Pokhariya, P.S.- Chanpatia, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 02-04-2019 Heard both sides.

The petitioner apprehends his arrest in Chanpatia P.S.
Case No.348 of 2018 registered under Sections 147, 148, 149, 323, 324, 307, 353, 188, 337, 338, 427, 341, 342 and 504 of the Indian Penal Code.

The informant alleged that two persons, namely, Chanchal Mahto and Asharfi Paswan were quarreling with each other for taking possession of a piece of land. The informant pacified the matter but later on both sides assembled near the land and took the law in their hands. They started pelting stones. The hut constructed by Asharfi Paswan over disputed land was uprooted.

Learned counsel for the petitioner submits that 32



persons including the petitioner are named in the F.I.R. but no specific allegation is made against the petitioner. The petitioner was only a member of the mob and onlooker. He has got no manner of concern either with Asharfi Paswan or Chanchal Mahto. Similarly situated other accused persons have been granted anticipatory bail in Cr. Misc. No.2344 of 2019 and Cr. Misc. No.6339 of 2019.

Having considered the facts and the nature of allegation against the petitioner and the fact that similarly situated accused persons have been granted anticipatory bail, the above named petitioner in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. V, Bettiah, West Champaran in connection with Chanpatia P.S. Case No.348 of 2018, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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