

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32352 of 2019

Arising Out of PS. Case No.-16 Year-2019 Thana- HATHAURI District- Samastipur

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Birju Mandal @ Birendra Prasad Son of Jawahar Mandal Resident of
Mohalla/Village- Dumramohan, P.S.- Hathauri, District- Samastipur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur
		Mr. Nilesh Kumar
		Mr. Shashank Shekhar
For the Opposite Party/s	:	Mr. Manoj Kumar

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 15-05-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner apprehends his arrest in connection with
Hathauri P.S. Case No. 16 of 2019 registered for the offence
punishable under Sections 142, 143, 147, 148, 149, 307, 323,
325, 333, 353, 427 and 435 of the Indian Penal Code.

Over the road accident claiming life of three
persons, there was large scale protest by the villagers led by the
petitioner and others and mob of around 400-500 persons went
on rampage raised anti-administrative slogans and also damaged
the police jeep and assaulted the police personnel.

It is submitted by learned counsel for the petitioner



that the petitioner has been falsely implicated in this case due to dirty village politics. He happens to be member of the mob. He never led any protest. Allegation levelled against the petitioner is not specific rather general and omnibus in nature. Petitioner has no criminal antecedent and similarly situated co-accused, namely, Devendra Mandal, Pappu Kumar @ Ramdayal Singh and Subhash Mandal @ Subhash Kumar Singh have been enlarged on anticipatory bail by the court below.

On the other hand, learned APP opposed the bail prayer of the petitioner.

In the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Rosera at Samastipur in connection with Hathauri P.S. Case No. 16 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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