

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34079 of 2019

Arising Out of PS. Case No.-164 Year-2018 Thana- BARHARA KOTHI District- Purnia

1. Mahendra Mandal, Son of Late Devi Lal Mandal Resident of Village- Gopinagar Parsa, P.S.- Barhara (Raghubanshnagar), District- Purnia.
2. Sanjay Mandal Son of Mankar Mandal Resident of Village- Gauripur Parsa, P.S.- Barhara (Raghubanshnagar), District- Purnia.
3. Anuj Jha @ Anuj Bhanu Son of Sushil Jha Resident of Village- Gauripur Parsa, P.S.- Barhara (Raghubanshnagar), District- Purnia.
4. Tribhuwan Kumar Yadav Son of Sahdeo Yadav Resident of Village- Gauripur, P.S.- Barhara (Raghubanshnagar), District- Purnia.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Praveen
For the Opposite Party/s : Mr.Ram Naresh Ray

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 26-06-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Barhara P.S. Case no. 164 of 2018, registered under Sections 143, 152, 186, 341, 323, 353 and 427 of the Indian Penal Code and Section 3 of the Prevention of Damage to Public Property Act.

The accusation is that on 08.07.2018, in the protest of occurrence of Gopinagar Parsa, a mob of more than 100 people were forcibly closing the market near Kabutra Chowk.



Thereafter, to maintain the law and order, informant being the B.D.O. and Circle Officer, Barhara Kothi reached there boarding on government vehicle then saw that Police personnel were also present there and mob was indulged in hot talk. When informant and Circle Officer moved towards the mob to pacify the matter then mob damaged the vehicle of the informant, anyhow, with the help of local people informant saved himself.

Learned counsel for the petitioners submits that petitioner No.1 Mahendra Mandal is the Ex-Mukhiya of Gram Panchyat Barhara Kothi and he has falsely been implicated in this case due to dirty village politics regarding which Barhara P.S. Case No. 162 of 2018, dated 09.07.2018 and Barhara P.S. Case No. 163 of 2018, dated 09.09.2018 are also instituted on the basis of fardbeyan of Officer-in-Charge, Barhara Police Station. Further submission is that the name of the petitioners surfaced in course of investigation without any overt act. Further submission is that no one sustained injury in this case.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their 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) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.- II, Purnia in connection with Barhara P.S. Case No. 164 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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