

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45152 of 2019

Arising Out of PS. Case No.-112 Year-2014 Thana- RUPAULI District- Purnia

Ashok Yadav @ Ashok Singh, son of Late Harilal Yadav Resident of Village -
Rupauli, P.S.- Rupauli, Dist.- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Jha

For the Opposite Party/s : Mr.Sanjay Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 23-07-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

Petitioner apprehends his arrest in connection with
Rupauli P.S. Case No.112 of 2014 for the offence punishable
under Sections 147, 148, 149, 448, 341, 323, 338, 379, 307,
332, 333, 435, 325, 326, 353, 426, 427, 434, 440 of the Indian
Penal Code.

The allegation against the petitioner is that as per the
First Information Report, four persons met with an accident and
pursuant thereto, a mob assembled and the mob allegedly
attacked the police station and set the bus on fire causing
damage to the public property. Mob also assaulted the police
personnel. 29 persons have been named accused in this case
and the petitioner is not named in the First Information Report.



Mr. Bhola Prasad, learned counsel appearing for the petitioner submits that the petitioner is not named in the FIR and due to accident, altogether 29 named accused and about 500 unknown persons attacked the police station in which some police personnel got injury and the petitioner's name has transpired on the basis of statement made by Chowkidar subsequently.

Learned counsel further submits that the injury caused to injured police personnel are simple in nature and there is no specific allegation against the petitioner causing any assault upon them. Learned counsel further submits that similarly situated non-FIR accused persons have been granted bail by this Court in Cr. Misc. No.2905 of 2019 by order dated 23.01.2019.

After having heard learned counsel for the petitioner as well as learned counsel appearing on behalf of the State and taking into consideration the fact that petitioner is not named in the First Information Report and the allegation is general and omnibus against 29 named accused persons and 500 others and further similarly situated accused persons have been granted bail by this Court, as such, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, the petitioner is directed to surrender



before the learned Court below within a period of four weeks and in the event of surrender by him, he shall be released on anticipatory bail by the Court below upon 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.-Ist, Purnea, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

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