

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51727 of 2019

Arising Out of PS. Case No.-293 Year-2019 Thana- KHAJANCHI HAT District- Purnia

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RITESH KUMAR @ GUDDU Son of Sanjay Kumar Bishwas @ Sanjay Biswas Resident of Village - Kochaili, P.S.- Dagurwa, Barsauni, District- Purnea. At present resident of Mohalla- Rambag Purnea, P.S.- Muffasil, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Yogesh Chandra Verma,, Sr Adv.
Mr. Ranjeet Kumar
For the Opposite Party/s : Mr.Ajit Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 05-11-2019 This application is for grant of regular bail in connection with K. Hat (Sahayak) P.S.Case No.293 of 2019 for the offences under Sections 147, 148, 149, 341, 323, 332, 353, 427, 435 of the Indian Penal Code.

Petitioner is named in the FIR, which has been recorded on the self-statement of the S.H.O. of K. Hat Sahayak police Station on the information that some miscreants were caught near the temple, on that information he reached there and saw a mob assembled there and they were assaulting two persons , any how they were saved and sent to the hospital and the other persons were also taken out from the mob and sent to the hospital, the mob damaged one Scorpio vehicle, four



motorcycles, he tried to pacify the matter but the mob started raising slogans against the police. It is further stated that the petitioner and 12 other persons were identified and they were creating *hungama* and also assaulted the police personnel. Further damaged the government vehicle and also set one Apache motorcycle on fire.

Submission of the learned counsel for the petitioner is that altogether five cases have been lodged with respect to the occurrence which occurred when some miscreants came to grab the house of one Asha Devi, in which the mob assembled and they have assaulted the miscreants and except that the petitioner is named in the FIR but nothing specific has come against him.

On the other hand the learned APP has submitted that from perusal of the case diary and all the complaint case, it appears that there is show of strength between the parties with respect to the house of Asha Devi which one party claims to be their, Asha Devi called Shankar Kushwaha and others including the petitioner who attacked the other party in which one person has also died and later on police reached there and tried to pacify the matter but they went violent causing damage to the vehicles and the police vehicle also. There is CCTV footage of occurrence.



Heard learned APP also.

Petitioner is named in the FIR and in CCTV footage petitioner was also identified and witnesses have also supported the occurrence during the investigation.

In view of the facts as stated above, I am not inclined to grant privilege of the anticipatory bail to the petitioner and he is directed to surrender before the learned court below and pray for regular bail.

Accordingly, with the above observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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