

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57197 of 2019

Arising Out of PS. Case No.-435 Year-2018 Thana- BUDDHACOLONY District- Patna

Priti Kumari Daughter of Dileep Kumar @ Dilip Kumar Resident of Sadaquat
Ashram, B.P.C.C Campus, Patna, P.S. - Patliputra, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Chandra, Advocate

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 09-09-2019 Heard learned counsel for the petitioner and learned
APP representing the State.

The petitioner apprehends his arrest in connection with Buddha Colony P.S. Case No. 435 of 2018, registered under Sections 147, 148, 149, 188, 341, 323, 325, 332, 333, 337, 338, 353, 427, 449, 450, 451, 452, 461 and 120(B) of the Indian Penal Code and Sections 3 and 4 of Damage of Public Property Act.

The allegation against the petitioner, as per FIR, is that the petitioner along with 167 persons named in the FIR and 300 to 350 unknown persons ransacked at New Police Line and created disturbance due to Trainee Constable, who died during course of treatment.

Learned counsel for the petitioner submits that there



is no specific allegation against the petitioner and the allegation in the FIR is against 167 persons named accused persons as well as 300 to 350 unknown persons.

Learned counsel for the petitioner further submits that petitioner has already been removed from the service and the allegation against the petitioner is general and omnibus in nature.

Learned counsel for the petitioner submits that in another FIR lodged for the same occurrence prior to the Buddha Colony P.S. Case No. 436 of 2018, the petitioner has been granted anticipatory bail by this Court on 04.09.2019 in CrI. Misc. No. 55952 of 2019. He further submits that similar situated persons have also been granted anticipatory bail in Cr. Misc. No. 44194 of 2019.

After having heard learned counsel for the parties and taking into consideration the fact that the allegation against the petitioner is general and omnibus in nature and similarly situated accused persons have already been granted anticipatory bail by this Court, I am inclined to grant anticipatory bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, abovenamed, in the event of arrest



or surrender before the court below within a period of four weeks from today, be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned Sub-Judge-XVI-cum-Additional Chief Judicial Magistrate, Patna in connection with Buddha Colony P.S. Case No. 435 of 2018; subject to condition as laid down hereinabove and under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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