

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74135 of 2019

Arising Out of PS. Case No.-578 Year-2019 Thana- MASAUDHI District- Patna

DILEEP KUMAR Son of Late Rajju Yadav Resident of Village - Chulhayee
Chak, P.S.- Masaurhi, District - Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha
For the Opposite Party/s : Mr.Pronoti Singh

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 18-12-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is seeking anticipatory bail in connection with Special Case No. 6947/2019 arising out of masaurhi P.S. Case No. 578/2019 registered under Sections 147, 148, 341, 337, 504, 506, 353.307, 427 of the Indian Penal Code and Section 30(a) of Bihar Prohibition & Excise Act, 2016.

Learned counsel for the petitioner submits that the petitioner is said to be a member of the mob but there is no specific allegation against him, no specific weapon has been attributed to his hand, however petitioner has got no criminal antecedent.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.



Considering the facts and circumstances of the case wherein it is submitted that the petitioner is said to be a member of the mob but there is no specific allegation against him, no specific weapon has been attributed to his hand and further submission that in presence of two battalions of the police force which said to have reached at the place of occurrence, the name of the petitioner having been taken at the instance of one Chowkidar but there is no other material to show that this petitioner has actively participated in the alleged occurrence and he has no criminal antecedent, in the event of his arrest/surrender before the court below within a period of four weeks, let the above-named petitioner be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) with two sureties of the like amount each to the satisfaction of learned Court of Special Judge, Excise, Patna in connection with Special Case No. 6947/2019 arising out of masaurhi P.S. Case No. 578/2019, subject to condition as laid down under Section 438(2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;



(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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