

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14882 of 2020

Arising Out of PS. Case No.-122 Year-2019 Thana- PHULWARIA District- Begusarai

PRADIP KUMAR, S/o Suresh Ram, Resident of Village and Post-Phulwaria-I, Post Office-Barauni, Police Station-Phulwaria, District-Begusarai-851112.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar @ Ravindra Kr Rai, Adv.
For the Opposite Party/s : Mr.Bal Mukund Prasad Sinha, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 10-07-2020 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceeding.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 147, 341, 323, 307, 504, 353 of the Indian Penal Code.

Prosecution case in brief is that on 05.09.2019 the informant received an information that the peoples have kept a suspicious person said to be child thief, upon such information the informant reached to Fulwariya Panchayat Bhawan, where he found 50-60 persons were surrounding the Panchayat Bhawan and shouting as Bachha Chor. The informant caught the said suspect and proceeded by Govt. vehicle to Police Station, then some unsocial person attempted to snatch the said person and assaulted him with intention to kill him. Anyhow, the



informant took the said suspect to Teghra PHC for treatment. On quarry, he disclosed his name Sahid Hussain of Katihar. The local Chowkidar disclosed the name of unsocial elements.

Learned counsel for the petitioner submits that the petitioner is quite innocent and has not committed any offence . The petitioner has no concerned with the alleged occurrence, but there was a crowd of more than 50 persons, who assaulted the child abductor.

Learned counsel for the petitioner further submits that, from perusal of the FIR, it appears that, the name of the petitioner, who is accused no. 6, has been added by mala fide intention in between the last paragraph and 2nd last paragraph of the FIR, after completion of the FIR, which creates a doubt on the intention of prosecution. There is general and omnibus allegation against the petitioner and there is no specific allegation of overt act. The petitioner has got no criminal antecedent which is mentioned in para-3 of the bail petition.

Learned APP for the State opposes the prayer for bail petition.

In the aforesaid facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of six weeks



from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs. 25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-I, Begusarai in connection with Phulwaria P. S. Case No. 122 of 2019, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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