

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23007 of 2020

Arising Out of PS. Case No.-372 Year-2019 Thana- HISUWA District- Nawada

KRISHNA PANDIT Son of Sita Ram Pandit Resident of Village - Bajra Tola
Fatehpur, P.S.- Hisua, District - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate

For the Opposite Party/s : Mr. Akshay Lal Pandit, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 19-10-2020 Heard Mr. Sheo Kumar Prasad, learned counsel for

the petitioner and Mr. Akshay Lal Pandit, learned Additional

Public Prosecutor appearing for the State through video

conferencing.

Petitioner seeks regular bail in connection with Hisua
P.S. Case No. 372 of 2019 registered for the offences punishable
under Sections 147, 148, 323, 341, 307, 149 and 302 of the
Indian Penal Code 1860.

The allegation as per the First Information Report is
that the informant, who is a Police Officer, got information that
one person was caught hold by local people and they were
assaulting that person calling him as a child lifter. It has further
been alleged that the said child lifter knocked the door of
Krishna Pandit i.e. petitioner who raised alarm that he was a



child lifter and, thereafter, the local people assaulted that child lifter leading to his death. In the First Information Report all together five persons are named along with 25-30 unknown persons who are said to have allegedly assaulted the child lifter.

Learned counsel for the petitioner submits that petitioner has not committed any offence in the manner alleged and from perusal of the First Information Report there is no material to show that the petitioner assaulted the victim i.e. child lifter. Learned counsel further submits that it was a mob of about 30-35 persons who assaulted the victim under the impression that he was the child lifter and there is no overt act against the petitioner specifically. Learned counsel also submits that the petitioner is in custody since 22.01.2020.

Learned counsel for the State, on the other hand, referring to the case diary submits that it is a case of mob lynching and there is no specific allegation against the petitioner. The allegation against the petitioner is general and omnibus in nature.

Having heard learned counsel for the parties and taking into consideration the materials on record, the fact that the petitioner is in custody since 22.01.2020 and allegation against him is general and omnibus, I am inclined to grant



regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada, in connection with Hisua P.S. Case No. 372 of 2019

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding lockdown and social distancing.

(Anil Kumar Sinha, J)

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