

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25521 of 2020**

Arising Out of PS. Case No.-923 Year-2019 Thana- FORBESGANJ District- Araria

SIKANDAR MANDAL @ SIKENDAR MANDAL Son of Narayan Mandal
Resident of Village - Jagir Halhaliya Khawaspur, P.S.- Simraha, District -
Araria.

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioner : Mr. Mukesh Kumar Rana, Advocate.
For the State : Mr. Rajballabh Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 04-11-2020 In view of the submission and undertaking of the learned counsel for the petitioner, at the time of hearing of this application, through Video Conferencing, that he would remove the defect(s), as pointed out by the office vide its notes dated 21.09.2020, within two weeks of starting of the Court proceeding in physical mode, he is permitted to remove the same accordingly.

Heard learned counsel for the petitioner and the learned A.P.P. for the State, through Video Conferencing.

The petitioner apprehends his arrest in connection with Forbesganj (Simraha) Police Station Case No.923 of 2019 registered under Sections 147, 148, 149, 341, 342, 323, 325, 447, 188, 186, 290, 353, 338, 307, 332 and 504 of the Indian



Penal Code.

The accusation is that in course of patrolling duty, the informant along with other police personnel received information from the police station that two persons have been caught hold in respect to the charge of child thief in village-Halhaliya. Thereafter, the informant along with other police personnel reached at village-Halhaliya, then saw the mob of 500-700 persons there. Anyhow, the informant along with other police personnel reached near the house of Kankeer Mandal, where two persons were caught hold and both were being assaulted by folding their hands and legs. Anyhow, both persons were taken in custody by the informant along with other police personnel, who disclosed their name as Md. Rizwan and Md. Imamul and while both were being taken on a police jeep to the police station, at that time, mob started to cause assault to the police party for taking both the aforesaid persons. At that time, two police personnel were caught hold by the mob but, anyhow, they got themselves freed and out of the mob, 49 persons including the petitioner were identified.

Learned counsel for the petitioner submits that while the petitioner is named in the F.I.R. but no specific overt act is attributed to him. Regarding the same occurrence, Forbesganj



(Simraha) P.S. Case No.924 of 2019 was instituted against the petitioner and others, in which the petitioner has been allowed the privilege of pre-arrest bail by a Coordinate Bench of this Court vide order dated 13.10.2020 passed in Criminal Misc. No.25655 of 2020. Further submission is that the similarly situated 22 co-accused have already been granted the privilege of pre-arrest bail by a Bench of this Court vide order dated 09.07.2020 passed in Criminal Misc. No.2387 of 2020 with Criminal Misc. No.12671 of 2020.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Araria, in connection with Forbesganj (Simraha) Police Station Case No.923 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

P.S./-

U		T	
---	--	---	--

