

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85583 of 2019

Arising Out of PS. Case No.-836 Year-2019 Thana- FORBESGANJ District- Araria

1. Arun Dubey, Son of Tej Narayan Dubey
2. Akhilesh Kumar Mandal @ Akhilesh Mandal, Son of Late Shobhan Mandal
3. Dilip Kumar Singh @ Dilip Singh, Son of Late Durga Pd. Singh
4. Baidnath Mandal @ Baijnath Mandal, Son of Late Kripanand Mandal
5. Dinesh Paswan, Son of Late Tunak lal Paswan
All five resident of village- Matiyari, P.S. Forbesganj, District- Araria
6. Kailu Mandal, Son of Late Mahabir Mandal
7. Biswambhar Mandal @ Bishwambar Mandal, Son of Late Budhan Mandal
8. Shambhu Mandal @ Sanjay Mandal, Son of Gyanand Mandal
9. Kulanand Ram, Son of Muneshwar Mandal
All four Resident of Village- Dhanpura, P.S.- Forbesganj, District- Araria.
10. Jaikant Roy, son of Bhola Roy,
11. Jitendra Kumar Roy @ Jitendra Roy, Son of Ramanand Roy
12. Bhupendra Kumar Roy @ Bhupendra Roy @ Chotu, Son of Puran Roy
13. Kamal Roy, Son of Ramanand Roy
14. Manoj Roy, Son of Ghan Shyam Roy
15. Bipin Roy, Son of Bedanand Roy
16. Dinesh Roy, Son of Udyanand Roy
All seven resident of Village- Dhanpura, P.S.- Forbesganj, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Sharma, Adv.
For the Opposite Party/s : Mr.Chandra Bhushan Prasad (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 14-02-2020 Heard learned counsel for the petitioners and

learned counsel for the State.

The petitioners apprehend their arrest in a case
registered for the offence punishable under Section 147, 148,



149, 150, 151, 186, 323, 333, 427, 353, 504 of the Indian Penal Code.

The allegation is regarding a mob of 46 FIR named accused person along with several hundred people having assembled at the office of the SDO, Forbesganj, and had engaged in the destroying/vandalising the office on account of being agitated by non-receipt of the flood relief fund as also had indulged in assaulting the office staff whereafter police had arrived and controlled the situation.

It has been submitted on behalf of the petitioners that they are innocent and have falsely been implicated in this case having no criminal antecedent. It is further submitted that there is general and omnibus allegation has been levelled against the FIR named accused persons along with several other persons, however no specific allegation has been alleged to have been committed by the petitioners. Similarly placed co-accused have been granted anticipatory bail by co-ordinate bench of this court vide order dated 22.01.2020 passed in Cr. Misc. No. 85130 of 2019.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on anticipatory bail, in the event of their arrest or surrender before



the court below within a period of four weeks from today, on furnishing bail bonds of Rs. 20,000/- each with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Forbesganj P.S. Case No. 836 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioners shall co-operate in the trial and shall be present on each and every date fixed by the court and their absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel their bail bonds.

(3) If the petitioners tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(S. Kumar, J)

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