

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19118 of 2021

Arising Out of PS. Case No.-214 Year-2020 Thana- MANSI District- Khagaria

1. Rambadan Yadav Son Of Late Bishundev Yadav R/O Village- Chukti, P.S.- Mansi, Dist.- Khagaria
2. Ram Pravesh Yadav Son Of Late Bishundev Yadav R/O Village- Chukti, P.S.- Mansi, Dist.- Khagaria
3. Ramsebak Yadav Son Of Late Bishundev Yadav R/O Village- Chukti, P.S.- Mansi, Dist.- Khagaria
4. Raj Kumar Yadav Son Of Bagho Yadav R/O Village- Chukti, P.S.- Mansi, Dist.- Khagaria
5. Gabbar Yadav @ Rajbabar Yadav @ Raj Babbar Yadav Son Of Bagho Yadav R/O Village- Chukti, P.S.- Mansi, Dist.- Khagaria
6. Durbaj Yadav @ Balbir Yadav @ Durbaj @ Balbir Son Of Bagho Yadav R/O Village- Chukti, P.S.- Mansi, Dist.- Khagaria
7. Bipin Yadav Son Of Harinandan Yadav R/O Village- Chukti, P.S.- Mansi, Dist.- Khagaria
8. Saroj Yadav @ Sanoj Yadav Son Of Mithal Yadav R/O Village- Chukti, P.S.- Mansi, Dist.- Khagaria
9. Kapildev Yadav Son Of Late Sukhdev Yadav R/O Village- Chukti, P.S.- Mansi, Dist.- Khagaria
10. P.M. Yadav @ P.M. Kumar Son Of Arbind Yadav R/O Village- Chukti, P.S.- Mansi, Dist.- Khagaria
11. Prakash Yadav Son Of Chhathu Yadav R/O Village- Chukti, P.S.- Mansi, Dist.- Khagaria
12. Rohit Yadav Son Of Chhathu Yadav R/O Village- Chukti, P.S.- Mansi, Dist.- Khagaria
13. Chunni Yadav @ Sunil Yadav Son Of Chhathu Yadav R/O Village- Chukti, P.S.- Mansi, Dist.- Khagaria
14. Saheb Yadav Son Of Chhathu Yadav R/O Village- Chukti, P.S.- Mansi, Dist.- Khagaria
15. Fudo Yadav Son Of Khakhar Yadav R/O Village- Chukti, P.S.- Mansi, Dist.- Khagaria

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Viveka Nandsingh
For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 16-12-2021 At the outset, it is submitted by learned counsel for
the petitioners that during pendency of this application,



petitioner nos. 8, 10 and 12 have been arrested and, as such, he seeks permission to withdraw this application against them.

In view of the aforesaid submission, this application is dismissed as withdrawn against petitioner nos. 8, 10 and 12.

Now this application is being pressed for rest of the petitioners.

Heard learned counsel for the petitioners and learned APP for the State.

Learned counsel for the petitioners is expected to honour his undertaking to remove the defects as pointed out by the office when called upon to do so by the office.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Mansi P.S. Case no. 214 of 2020 instituted for the offence under Sections 147, 148, 149, 341, 323, 353, 427, 504, 506 of the Indian Penal Code and Sections 3/4 of the Prevention of Damage to Public Property Act.

As per allegation in the FIR, petitioners are member of a mob, who created hindrance in discharging the duty to the police officials when they reached at place of occurrence to caught one Nitesh Kumar, who is accused in Mansi P.S. Case no. 213 of 2020.



Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. The matter relates to mob-lynching. Allegations levelled against the petitioners are general and omnibus in nature. Neither the petitioners were arrested nor any incriminating article has been recovered from their possession.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner nos. 1 to 7, 9, 11 and 13 to 15 on bail. The petitioner nos. 1 to 7, 9, 11 and 13 to 15 are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Mansi P.S. Case no. 214 of 2020, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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