

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21440 of 2021

Arising Out of PS. Case No.-192 Year-2020 Thana- KHARIK District- Bhagalpur

LURI MANDAL Son of Tetar Mandal Resident of Village - Faridpur, P.S.-
Kharik, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Prasad

For the Opposite Party/s : Mr.H.A.Khan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 20-07-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceeding.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in connection with Kharik P.S. Case No.192 of 2020, registered for the offence punishable under Sections 147/ 148/ 149/ 341/ 323/ 324/ 307/ 186/ 188/ 225/ 332/ 333/ 337/ 338/ 353/ 342/ 427/ 504 of the Indian Penal Code.

The prosecution case in short is that while the informant (police officer) went to arrest one teacher Mahesh



Mandal who was kept confined in a school room after getting complain from a girl, mob of unsocial element thrown bricks and stone upon A.S.I. and the teacher. They also thrown stone on the vehicle of the police in which some of them got injured.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has not committed any offence as alleged in the FIR. He has been falsely implicated in this case. There is general and omnibus allegation against the petitioner and no specific overt act is alleged against him. The specific overt act is against co-accused Vidayanand Mandal, Bablu Mandal who threw bricks and stone on the police, but no one was injured in the occurrence. No incriminating article has been recovered from the conscious physical possession of the petitioner nor he was arrested at the spot. According to the F.I.R., petitioner was only a member of mob. The petitioner has no criminal antecedent and has been languishing in custody since 05.10.2020.

Learned APP for the State opposed the prayer for bail.

Considering the facts and circumstances of this case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five



Thousand) with two sureties of the like amount each to the satisfaction of the learned Ist Additional Sessions Judge, Naugachiya, Bhagalpur in connection with Kharik P.S. Case No.192 of 2020.

(Anjani Kumar Sharan, J)

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