

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38607 of 2021

Arising Out of PS. Case No.-107 Year-2021 Thana- HARSIDHI District- East Champaran

Alok Kumar S/o Ravindra Tiwari Resident of Village- Hasuaahan Mishri
Tola, P.S.- Harsidhi, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-09-2021 This matter is taken up for consideration through
Video Conferencing.

Heard both parties.

The petitioner seeks bail in Harsidhi P.S. Case No.
107 of 2021, registered for the offence punishable under
Sections 307, 323 and other allied sections of the Indian Penal
Code, section 3/4 of Damage to Public Property Act and section
27 of the Arms Act.

As per the prosecution case, 166 FIR named including
this petitioner and 800 unknown persons have made fatal assault
on the police, create disturbance in discharge of official duty,
burnt bike and tried to snatch arms of police personnel. It is
further alleged that they also assaulted police personnel with
lathi, danda, bhala, and Garasa and also made firing.



It is submitted on behalf of the petitioner that there is general and omnibus allegation of commission of assault and no specific overt act has been alleged against this petitioner and he is only member of mob. Petitioner is in custody since 17.03.2021 having clean antecedent.

Considering the facts and circumstances of the case, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Harsidhi P.S. Case No. 107 of 2021, subject to following conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner 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 petitioner.

(Prabhat Kumar Singh, J)

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