

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38482 of 2020

Arising Out of PS. Case No.-6 Year-2020 Thana- LODIPUR District- Bhagalpur

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1. GAUTAM MANDAL Son of Chandradeo Mandal Resident of Village - Lodipur, P.S. - Lodipur, District - Bhagalpur
 2. Pintu Kumar @ Pintu Mandal Son of Ram Bilash Mandal Resident of Village - Lodipur, P.S. - Lodipur, District - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha

For the Opposite Party/s : Mr. Akbar Ali

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 14-07-2021 Heard both sides.

The matter has been taken up through video conferencing.

The petitioners apprehend their arrest in Lodipur PS Case No. 06/2020 registered under Section 147, 148, 149, 341, 323, 333, 332, 436, 504, 353, 427 of the Indian Penal Code.

The informant, S.H.O. of Lodipur PS, alleged that he got information that one motorcyclist was dashed by a truck and injured was taken to Mayaganj Hospital for treatment but the injured succumbed to the injuries. While the informant was coming to the toll plaza, place of occurrence, he found that the truck was damaged and some miscreants set ablaze the truck. They also pelted stones on the police personnel. Videography



was prepared and five persons including the petitioners were identified and 8-10 persons were not identified.

The learned counsel for the petitioners submits that nobody was injured. The villagers having been aggrieved with the rash and negligent driving causing the death of motorcyclist damaged the truck. The petitioners were also identified but similarly situated accused persons, namely, Chandra Shekhar Mandal, Rikiya Mandal and Dev Mandal @ Devendra Mandal have already been granted anticipatory bail by different Benches of this court vide orders passed in Cr. Misc. No. 31603 of 2020 and Cr. Misc. No. 35695/2020 and the case of petitioners stands on same footing.

Having considered the facts and the submissions, it appears that the informant alleged that many persons damaged the truck which dashed a motorcyclist causing his death. The accused persons set ablaze the truck and pelted stones on the police personnel. The petitioners and three others are said to have identified on the basis of footage of videography but similarly situated accused, namely, Chandra Shekhar Mandal, Rikiya Mandal and Dev Mandal @ Devendra Mandal have already been granted anticipatory bail by different Benches of this court and the case of petitioners stands on same footing, I



find that petitioners also deserve anticipatory bail.

Taking into consideration the facts aforesaid, the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt of this order shall be enlarged on bail on their furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction the learned Chief Judicial Magistrate, Bhagalpur in connection with Lodipur PS case No. 06/2020, subject to conditions laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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