

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55154 of 2022

Arising Out of PS. Case No.-31 Year-2022 Thana- BATH District- Bhagalpur

Sudhanshu Shekhar Upadhyay Son Of Late Ganesh Upadhyay Resident Of
Village - Kamaitha, Ps- Bath, District- Bhagalpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nirbhay Prashant

For the Opposite Party/s : Mr.Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 22-12-2022 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 307, 323, 353 and other allied sections of the Indian Penal Code.

FIR is registered against 30 named and 60-70 unknown persons. On the alleged date and time of occurrence, the informant received information that Anita Devi *Mukhiya*, Kumaitha *Panchayat* committed suicide at her house by hanging. When the informant along with other police personnel arrived at the place of occurrence 100-150 people were present. On the request of informant, Block Development Officer, Magistrate and Circle Officer along with FSL team were arrived there. During course of investigation, mob of villagers started beating two boys. The police team took both the persons in their



possession for security, but again villagers started beating both persons by stick, *danda*, brick and stones, as a result of which both were badly injured. Thereafter, the mob started pelting stones on the police officials, causing injury to the informant along with others.

It is submitted that petitioner is not named in the FIR, Name of petitioner transpired during course of investigation on the basis of CCTV footage. There is no specific accusation against this petitioner. Petitioner is only member of the mob.

Considering the facts aforesaid, the petitioner above-named, in the event of his arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, 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 Additional Chief Judicial Magistrate XIII, Bhagalpur in connection with Bath P.S. Case No. 31 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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