

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9782 of 2023

Arising Out of PS. Case No.-128 Year-2022 Thana- BIHPUR District- Bhagalpur

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MANTU KUMAR MALLIK @ MANTU MALLIK S/O YOGENDRA
MALLIK @ YOGENDRA PRASAD DOM @ YOGENDRA DOM Resident
of Village- Balaha, P.S.- Bihpur (Bhawanipur), District- Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar

For the Opposite Party/s : Mr. Navin Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

6 09-10-2023 Heard the parties.

2. The petitioner apprehend his arrest in a case registered for the offence punishable under Sections 353, 436, 186, 188, 189 and other allied Sections of the Indian Penal Code.

3. Allegedly, the petitioner along with other co-accused persons obstructed in the official duty of the Government officials with regard to the removal of encroachment. It is further alleged that the accused persons assaulted the police officials by pelting bricks and stones due to which they sustained injuries.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in



the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is no specific overt act against the petitioner. He further submits that the injuries are of simple nature, which is apparent from the injury report enclosed in the case diary. Petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his/her arrest or surrender before the learned Court below within a period of six weeks from today, 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 court below where the case is pending/Successor Court in connection with Bihpur (Bhawanipur) P.S. Case No.128 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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