

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28626 of 2023

Arising Out of PS. Case No.-247 Year-2022 Thana- DHAMDAHA District- Purnia

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1. Shambhu Mandal Son Of Late Sakal Mandal R/O-Nirpur Baran, P.S.-DHAMDAHA, Distt.-PURNEA
 2. Sanjeev Mandal Son Of Shambhu Mandal R/O-Nirpur Baran, P.S.-DHAMDAHA, Distt.-PURNEA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bipin Kumar

For the Opposite Party/s : Mr. Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 20-07-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 354, 307, 504 and 506 of the Indian Penal Code and Section 3/4 of the Prevention of damage to Public Property Act, 1984.

3. All the FIR named accused persons including these petitioners and 150 unknown persons by forming unlawful assembly with their common intention assaulted the police personnel and also damaged the government vehicle.

4. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that



none of the independent witnesses have supported the prosecution case regarding involvement of the petitioners in the alleged occurrence. All the prosecution witnesses are Government staff/personnel. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

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

6. Having regard to the facts and circumstances of the case and the fact that the petitioners are only members of the mob, let the above named petitioners, be released on bail, in the event of their 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) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Dhamdaha P.S. Case No.247 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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