

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34129 of 2023

Arising Out of PS. Case No.-759 Year-2020 Thana- FATUA District- Patna

1. MANDO KUMAR Son of Mahendra Das Resident of village - Maksudpur, P.S. - Fatuha, Distt. - Patna
2. Mahesh Kumar Son of Suresh Das Resident of village - Maksudpur, P.S. - Fatuha, Distt. - Patna
3. Jagdish Kumar Son of Ramanand Das Resident of village - Maksudpur, P.S. - Fatuha, Distt. - Patna
4. Surendra Das Resident of village - Maksudpur, P.S. - Fatuha, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj, Adv.

For the Opposite Party/s : Mr.Yogendra Kumar Singh, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 25-07-2023 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, 149, 342, 337, 338, 307, 332, 353, 427, 188, 269, 270, 271, 504 of the Indian Penal Code and Section 3 of Epidemic Disease Act, 1893, Section 51 of Disaster Management Act, Section 9 of Bihar Control of the use and play of Sound Speaker Act, 1955.

3. Allegedly, petitioners are said to have played loudspeakers on very high volume and when the informant requested the assembled persons to stop the same in view of



promulgation of lock down, all the assembled persons started raising protest against the police party and gave order to assault them. They created nuisance and tried to snatch the arms from the police force. They pelted stones on them and damaged the vehicles of the police.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. No such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is not specific rather general and omnibus in nature as they are only the members of the mob. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

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

6. Having regard to the facts and circumstances of the case, as there is no specific overt act against the petitioners, 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 Fatuha P.S. Case No. 759 of 2020, subject to
the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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