

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44263 of 2023

Arising Out of PS. Case No.-687 Year-2021 Thana- CHAPRA MUFFASIL District- Saran

SADHU RAI S/O LATE SHIV DAYAL RAI LATE SHIV DAYAL RAI
(WRONGLY MENTIONED VISHWANATH RAI, R/O VILLAGE-
BHETWALIA (WRONGLY MENTIONED KAKARAHAT) PS. DERNI
(WRONGLY MENTIONED DARIGYAPUR IN THE FIR), DIST. SARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Prakash, Adv.

For the Opposite Party/s : Mr.Dilip Kumar No.1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-08-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner apprehends his arrest in connection with
Chapra Mufassil P.S. Case No.687/2021, registered for the
offence punishable u/s 147, 148, 149, 323, 324, 325, 307, 332,
353, 427 of the IPC.

3. As per the prosecution case, co-accused Munna Sharma
instigated the accused persons including the petitioner, who
attacked on the informant party with bricks and stones, in
which, police Inspector Manju Kumari and some other police
officials sustained injuries. The accused persons including the
petitioner also damaged the tables and chairs. It is alleged that
the petitioner and others created this nuisance causing disruption
at the place of occurrence where counting work of election of



Mukhiya was going on.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has 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 leveled against the petitioner is not specific rather general and omnibus in nature. At best, petitioner can be said to be the member of the mob. Petitioner has no criminal antecedent and similarly situated co-accused has been granted anticipatory bail by a co-ordinate Bench of this Court.

5. Learned APP for the State opposed the prayer for bail by submitting that petitioner is a member of the mob, who attacked the police party and created disturbance in discharge of the vote counting work of Mukhiya election.

6. Having regard to the facts and circumstances of the case and considering the nature of allegation, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

7. This application is accordingly dismissed.

(Anjani Kumar Sharan, J)

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