

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59120 of 2022

Arising Out of PS. Case No.-65 Year-2022 Thana- MANIHARI District- Katihar

1. Yogesh Kumar Son Of Ashok Mandal Resident Of Village- Baulia, P.S.- Manihari, District- Katihar
2. Prakash Sahani @ Prakash Mandal Son Of Late Supan Mandal Resident Of Village- Baulia, P.S.- Manihari, District- Katihar
3. Amar Kumar Mandal Son Of Bahadur Mandal Resident Of Village- Baulia, P.S.- Manihari, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binit Kumar, Advocate

For the Opposite Party/s : Mr.Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 06-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect(s), if any, as pointed out by the
office, be removed within four weeks.

The petitioners are apprehending arrest in
connection with Manihari P.S. Case No. 65 of 2022 under
sections 147, 148, 149, 341, 323, 332, 333, 353, 307, 120(B)
504 of the Indian Penal Code.

As per the prosecution story, the informant, a
Police Sub Inspector alleged that due to drowning of a truck
near 'Manihari Ghat', the mob became violent and resorted to
brick bats.

The petitioners are named accused in the said FIR.

Learned counsel for the petitioners submit that they



are students/business man, were on the road, as the crowd assembled, they were just onlookers and due to video footage, their faces came into picture and dragged in the case. Further, since there is allegation, irrespective of the outcome of the present case, they are ready to give Rs. 5000/- each to the Chief Minister's Relief Fund, Bihar.

The learned APP opposes the prayer.

Taking into account the aforesaid fact as narrated by the petitioners as also they do not have criminal antecedents, this Court is inclined to grant them the privilege of anticipatory bail subject to payment of Rs. 5000/- each.

Let the petitioners be released on bail, in the event of their arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar, in connection with Manihari P.S. Case No. 65 of 2022 subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the conditions as follows:

(i) one of the bailor should be the family member of the petitioners who shall provide official document to show his/her bona fide;



(ii) the petitioners shall co-operate in the investigation and make themselves available to the police as and when required;

(iii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iv) the petitioners shall appear before the concerned police station every fortnight for next six months to mark their attendance;

(v) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(vi) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

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