

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61226 of 2022

Arising Out of PS. Case No.-57 Year-2022 Thana- BHAWANIPUR District- Purnia

SHIV RISHI @ SHIV RISHIDEV SON OF PUSO RISHI R/O VILLAGE-
DUMRA, P.S.- BHAWANIPUR, DISTRICT- PURNEA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar

For the Opposite Party/s : Mr.Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 10-01-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in a case registered for the offence punishable u/s 147, 148, 149, 341, 323, 307, 353 of the IPC.

Allegedly, some persons were involved in assaulting an accused person and when the police party tried to save him, the people assembled there including the petitioner started assaulting the police personnel by lathi, danda, due to which some members of the police party sustained injury.

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 due to village politics. 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. The injury found on the body of the injured officials were found to be simple in nature. Petitioner can only be said to be a member of the mob having no active participation in the alleged occurrence. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since there is no specific overt act against the petitioner, let the above named petitioner, be released on bail, in the event of his 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 Bhawanipur P.S. Case No.57 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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