

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74080 of 2023**

Arising Out of PS. Case No.-377 Year-2023 Thana- RAMKRISHNANAGAR District- Patna

1. GUDDU MANJHI @ GUDDU KUMAR @ BADAL MANJHI S/O SULENDRA MANJHI @ DHELA MANJHI R/O-BHUPATIPUR MUSHARI, PS. RAM KRISHNA NAGAR, DIST. PATNA
2. GOTELAL MANJHI @ GOLATAN KUMAR S/O HARENDRA MANJHI R/O-BHUPATIPUR MUSHARI, PS. RAM KRISHNA NAGAR, DIST. PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deovind Kumar Singh
For the Opposite Party/s : Mr. Ashok Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

2 29-11-2023

Heard learned Counsel for the petitioners and

learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Ram Krishna Nagar Police Station Case No. 377 of 2023, dated 19.06.2023, disclosing offences under Sections 147/149/323/307/332/333/337/338/353/427/504/506 of the Indian Penal Code.

The First Information Report has been filed by Inspector-cum-SHO, Ram Krishna Nagar Police Station, stating therein that on 19.06.2023, the police personnel were doing their work in the police station at about 15:30 Hrs, 100 to 150 people



of village Bhupatipur Mushari gathered near the police station, started abusing the police personnel, created ruckus and resorted to stone-pelting, due to which Sub Inspector of Police, namely, Shambhu Nath Singh, sustained injury on his head. The accused persons become berserk, damaged the vehicles, tables, chairs of the police station and another staff Bhag Narayan Rai received injury due to brick batting. The accused persons forcibly entered into the police station and upon arrival of the additional force the they fled away.

Learned counsel for the petitioners submits that the petitioners are innocent and have not committed any offence in the manner alleged. On 16.06.2023, one Chhotu Manjhi of village Bhupatipur Mushari was arrested by the police in connection with excise case and was assaulted by the police and due to which he died on 19.06.2023 in jail. In the postmortem report several bruise and sign of assault on the dead body of the said Chhotu Manjhi was found, as such, some villagers were protesting against the police personnel near the police station for the offence committed by them and the police personnel used force against the villagers and thereafter some scuffle took place between them in which several villagers and some police personnel sustained simple injury. The petitioners were not



present in the alleged occurrence, but due to village politics, the petitioners have been made accused by the local chowkidar.

I have heard learned counsel for the parties and perused the material available on record. The petitioners are named in the First Information Report and they, along with mob, attacked the police station with impunity, causing damage to the government property and injuries to the police personnel. Attacks on police personnel by the mob has become the order of the day.

Learned Additional Sessions Judge, while rejecting the bail application, has taken note of the materials brought in the case dairy during the course of investigation, including the CCTV footage, in which the accused persons have been seen attacking the police station. The petitioners are named in the First Information Report, accordingly, I do not find any reason to differ with the decision of learned Additional Sessions Judge rejecting the anticipatory bail application of the petitioners.

In the result, the present anticipatory bail application is dismissed.

(Anil Kumar Sinha, J)

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