

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70853 of 2022

Arising Out of PS. Case No.-310 Year-2021 Thana- BAHADURPUR District- Darbhanga

1. Munchun Kumar Mandal @ Munchun Mandal S/O Kishore Mandal Resident Of Village- Taralahi, P.S.- Bahadurpur, District- Darbhanga.
2. Bikash Kumar Mandal @ Raj Kumar Mandal S/O Naresh Mandal Resident Of Village- Taralahi, P.S.- Bahadurpur, District- Darbhanga.
3. Sonu Mandal @ Ashish Kumar Mandal S/O Vijay Kumar Mandal Resident Of Village- Taralahi, P.S.- Bahadurpur, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mohit Shriwastava, Advocate
For the Opposite Party/s : Mr. Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 29-04-2023 Heard learned counsel appearing on behalf of the petitioners and learned Additional Public Prosecutor appearing on behalf of the State.

Let the defect(s), as pointed out by the office, be removed within a period of four weeks from today.

The accused/petitioners are named in the F.I.R. and apprehend their arrest in connection with Bahadurpur P.S. Case No. 310 of 2021 registered for the offences punishable under Sections 147, 149, 341, 323, 337, 338, 307, 353, 354, 188, 270 and 153-A of the Indian Penal Code (in short 'I.P.C.') and under Section 67 of the Information Technology Act (I.T. Act), 2000.



As per F.I.R., one of the co-accused, namely, Md. Meraj posted the picture of one Chandni Kumari with some wrong comments on the facebook, causing communal disturbance between the two communities which not even resolved after Panchayati between the parties, resulting both groups were started to pelt stone to each other, where situation was controlled with great difficulty by police. Consequent upon the F.I.R. was lodged against the members of both communities.

Learned counsel appearing on behalf of the petitioners submitted that the allegation against petitioners is appearing very much general and omnibus without specifying any overt act. It is submitted that the specific allegation is available against co-accused Md. Meraj, who alleged to post the picture of a girl belongs to particular community. It is submitted that several accused persons having facing similar allegations have been granted anticipatory bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 57377 of 2022 vide order dated 14.12.2022. While concluding the argument it is submitted that petitioners found involved in two more criminal cases, where he is on bail.

Learned APP for the State opposes the prayer of bail.

Considering the aforesaid facts and circumstances as



mentioned above, as allegation against above named petitioners are not appearing specific, let all above named petitioners, in the event of their arrest or surrender before the court below within a period of four weeks, are directed to be released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Darbhanga/concerned Court, where the case is pending in connection with Bahadurpur P.S. Case No. 310 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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