

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10737 of 2024

Arising Out of PS. Case No.-516 Year-2023 Thana- ROSERA District- Samastipur

MANTUN DAS @ MANTUN KUMAR Son of Rambali Das Resident of
Village-Kelwani Sahiyar Dih, PS.-Rosra, District-Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Ranjan, Advocate

For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 18-04-2024 Heard learned counsel for the petitioner and the State.

2. The petitioner is apprehending his arrest in connection with Rosra P.S. Case No. 516 of 2023 for the offence under Sections 385, 387 and 34 of the I.P.C. lodged on 24.09.2023 by the informant, Prasunjay Kumar.

3. As per the prosecution story, after going through the video that was viral on the social media it was found that in a birthday party, this petitioner amongst other was waving illegal weapon while dancing with the girls on the stage. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that he works in the private company, have little to do in the matter, police on his own have implicated and he do not have any criminal antecedent. The last submission is that without



accepting the allegation and/or the outcome of the present petition in view of the fact that the informant side has alleged injuries, the petitioner on its own would like to contribute Rs. 15,000/- towards authorities of the Red Cross Society, Samastipur through Demand Draft issued by the local State Bank of India branch to be submitted before the NAZARAT of the concerned Court to be handed over to the Red Cross Society, Samastipur after checking the credentials.

5. Learned APP opposes the prayer submitting that the allegation is of dancing with illegal weapons on the stage.

6. Though the allegation is grave and despite regular newspaper articles coming about the firing of the said illegal weapon causing death in a function, people still resort to the same. In this case, the petitioner do not have criminal antecedent, firing allegation is not there and is a young person, this Court is inclined to extend him the privilege of anticipatory bail with conditions subject to payment of Rs. 15,000/- as undertaken by the learned counsel for the petitioner to be paid by the Demand Draft of local State Bank of India to be submitted to the Trial Court.

7. Let the petitioner be released on bail in the event of 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 Additonal Sessions Judge-II, Rosera in connection with Rosra P.S. Case No. 516 of 2023 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

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

(ii) the petitioner 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 his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner 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;

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



8. With the aforesaid observations, the anticipatory
bail application is allowed.

(Rajiv Roy, J)

Adnan/-

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