

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78642 of 2024

Arising Out of PS. Case No.-513 Year-2023 Thana- LAXMIPUR District- Jamui

-
1. Chhotu Turi @ Chhotu Kumar Son of Baidhnath Turi Resident of Village - Jinhara, P.S. - Laxmipur, District - Jamui
 2. Raja Turi @ Raja Kumar Turi @ Raj Gabbar Turi Son of Raj Kumar Turi Resident of Village - Jinhara, P.S. - Laxmipur, District - Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akash Raj

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 03-12-2024 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Laxmipur Police Station Case No. 513 of 2023, dated 18.11.2023, disclosing offences punishable under Sections 147/149/341/504/506/353/427 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that on 17.11.2023, one truck dashed the local villager, namely, Sachin Kumar, due to which he died. The police party got the information and reached near the market and saw that the truck was broken and the mob was trying to burn the truck. However, the police, somehow, protected



the truck from burning and the truck and its driver were brought to the Police Station. One Niranjana Mandal helped the police in rescuing the truck and its driver, due to which the local people attacked his house with bricks and stones and destroyed the CCTV camera. The petitioners, along with four other FIR-named accused persons and 35 unknown persons have created disturbance on the road due to the death of Sachin Kumar in road accident.

4. Learned Counsel for the petitioners submits that the petitioners have not committed any offence in the manner alleged and the deceased is not the family member of the petitioners. The deceased belong to the same village where the petitioners reside and a large number of people assembled there and all of them were protesting. Since the petitioners belong to the same village of the deceased, they have been made accused at the instance of the police officials and chowkidar. There is no specific allegation that the petitioners misbehaved with the police officials. The occurrence has taken place due to mob frenzy. The petitioners are ready to abide by the terms and conditions imposed by this Court.



5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the totality of the allegation and the fact that the allegation against the petitioners are general and omnibus in nature and they are having no criminal antecedent, I am inclined to grant the petitioners privilege of anticipatory bail, subject to the condition that the petitioners will co-operate with the police in the investigation of the case and shall also participate in the trial and will not abscond and tamper with the evidence.
6. This application is, accordingly, allowed.
7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Jamui, in connection with Laxmipur Police Station Case No. 513 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.
8. This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case



may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

U	✓	T	✓
---	---	---	---

