

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20793 of 2025

Arising Out of PS. Case No.-1008 Year-2024 Thana- DANAPUR District- Patna

1. Umesh Rai S/O Late Ramdev Prasad Father name of Petitioner wrongly mentioned in FIR as Dinesh Kumar. Resident of village - Lakhni Bigha, Near Math, Police Station - Danapur, Dist.- Patna.
2. Dinesh Kumar S/O Umesh Rai Resident of village - Lakhni Bigha, Near Math, Police Station - Danapur, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 23-04-2025

1. Heard the parties.

2. The petitioners apprehend their arrest in connection with Danapur P.S. Case No. 1008 / 2024 dt: 14.10.2024 registered for the offence under sections 190, 191(2), 121(1), 121(2), 132, 324 (4), 351(2), 352 of the B.N.S. 2023.

3. As per the first information report on 14.10.2024 the S.H.O. of Danapur P.S. upon receiving information that one person has been murdered near Lakhni Bigha Math, reached at the place of occurrence and saw the dead body of Vishal Kumar lying on earth and the local public were pelting bricks and stones on the house of Subhash Rai alleging that he murdered Vishal Kumar. The police party tried to pacify the matter but the



mob created unruly scene and started pelting stones and bricks upon the police party in which some of the police personnel received injury and vehicle of the police also got damaged.

4. Mr. Arun, learned counsel for the petitioners submits that petitioners are innocent and they have not committed any offence in the manner alleged. He submits that at best it can be said that the petitioners are the members of a mob of 50 people. No specific allegation has been made against the petitioners. He next submits that Danapur P.S. Case No. 1007 / 2024 has been lodged against Subhash Rai and others for the killing of Vishal Kumar and the villagers and family members of Vishal Kumar in retaliation committed the alleged occurrence.

5. I have heard learned counsel for the parties and perused the materials on record.

6. From perusal of the F.I.R. it is evident that the petitioners along with a mob of 50 people started pelting stones and bricks upon the police party in which some of the police personnel received injury and the vehicle of the police got damaged and the mob obstructed the government servants from discharge of their official duty. The petitioners were instigators which led to obstruction in the functioning of police. The learned Addl. Sessions Judge VII, Danapur has recorded that witnesses in



paragraphs- 4, 5, 6, 7 & 35 of the case diary have supported the prosecution case. The petitioners along with the co-accused created unruly scene when the police party arrived to discharge their official duty. An attack on police team while on official duty undermines the safety and security of the law enforcement agency. Incidents of mob violence against law enforcement agencies have become the order of the day now in this state which can be very dangerous, often escalating tensions and compromising public safety.

7. Accordingly, I am not inclined to grant the petitioners the privilege of anticipatory bail. This application is accordingly rejected.

(Anil Kumar Sinha, J)

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