

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89858 of 2024

Arising Out of PS. Case No.-343 Year-2024 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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Jyotish Mandal, S/o- Late Naresh Mandal, Resident of Village- Parwatti, Gali
Labbi Pasi Lane, Police Station- University, District-Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Adv.

For the Opposite Party/s : Mr. Dr. Mrityunjaya Kr. Gautam, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 08-01-2025 Heard Mr. Ajay Mukherjee, learned counsel for the

petitioner and Mr. Dr. Mrityunjaya Kr. Gautam, learned APP for

the State.

2. The petitioner apprehends his arrest in
connection with Bhagalpur Kotwali P.S. Case No. 343 of 2024
dated 06.11.2024 registered for the offences punishable under
sections 190, 191(2) 191(3), 115(2), 118(1), 109, 132, 324(4),
352, 351(2), 223 and 61(2) of the Bharatiya Nyaya Sanhita.

3. The main submissions advanced by learned
counsel appearing for the petitioner are that the instant matter
relates to chaos allegedly having been created by a crowd at the
time of procession of statue of Hindu goddess Kali but
admittedly there was a large crowd consisting of more than 40



persons and the petitioner is said to have been identified mainly on the basis of video footage but in fact, at the time of alleged occurrence, the petitioner attempted to pacify other persons involved in the procession and it is not the case of the prosecution to show the petitioner's specific involvement in committing the alleged offences with the police party. It is further submitted that in the alleged occurrence, which is not said to have been committed in a planned manner, no one relating to police party sustained any kind of injury and in this regard, specific statement has been made in the paragraph No. 8 of the petition and the petitioner has fair and clean antecedent.

4. Learned APP appearing for the State has opposed the bail prayer of the petitioner.

5. Considering the aforesaid submissions advanced by petitioner's counsel and mainly taking into account the petitioner's fair and clean antecedent, and also, the fact that no one sustained injury in the alleged occurrence as stated above, this Court is inclined to grant the relief of anticipatory bail to the petitioner. Accordingly, let the petitioner named-above, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 20,000/-



(Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Bhagalpur Kotwali P.S. Case No. 343 of 2024, subject to the conditions as laid down under Section 484(2) of the B.N.S.S.

(Shailendra Singh, J)

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