

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4110 of 2015

Arising Out of PS.Case No. -270 Year- 2014 Thana -PIPRA District-
EASTCHAMPARAN(MOTIHARI)

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KISHORE KUMAR SON OF RAGHUNATH SAH, RESIDENT OF
VILLAGE - KHAIRIMAL, P.S. - PIPRA, DISTRICT -EAST
CHAMPARAN AT MOTIHARI.

.... PETITIONER/S

VERSUS

THE STATE OF BIHAR

.... OPPOSITE PARTY/S

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Appearance:

For the Petitioner/s : Mr. Ravi Shanker Pankaj, Adv.

For the Opposite Party/s : Mr. Raj Kishore Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

3 04-03-2015 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor.

Informant, BDO of Chakiya Block while was returning from Khairimal and reached near Mangalwari Hat lying at village-Chintamanpur, Raghunath Sah, Bhola Prasad, Vijay Sah, Binod Sah along with mob of two hundred persons forced him to stop vehicle and then thereafter, they began to assault alleging his partisan conduct during course of PACS election as a result of which Bhola Prasad had lost. It has also been disclosed that Raghunath Sah, Bhola Prasad have tried to hang. They have also snatched away chain, ring, mobile phone, cash appertaining to Rs.2000/-, ATM Card, PAN Card, Driving License and other important documents. It has further been alleged that some of the members of the mob were calling Guddu Singh and Dinesh Bhaiya and so, he also put presence of those persons. Furthermore, it has been disclosed that

during course of treatment his well-wishers have disclosed presence of Lalan Singh, Bharat Singh, Kishore Kumar (petitioner) to be the member of the mob.

Perused the case diary wherefrom it is evident that witnesses examined under para-13, 14 have simply named the petitioner to be one of the members of unlawful assembly. Paragraph 82 is the injury report.

Because of the fact that no specific allegation has been attributed against the petitioner and further his presence has been perceived only as mere member of an unlawful assembly, petitioner Kishore Kumar is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each, to the satisfaction of learned ACJM, East Champaran at Motihari in connection with Pipra P.S. Case No.270 of 2014.

(Aditya Kumar Trivedi, J.)

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