

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31254 of 2014

Arising Out of PS.Case No. -177 Year- 2011 Thana -SAHARSA District- SAHARSA

Dayanand Tulsiyan, son of Basudeo Roy Tulsiyan, resident of Saharsa
Gandhi Path, P.S. and Distt.- Saharsa

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Dhananjaya Nath Tiwari, Adv.

For the Opposite Party/s : Mr. M.K. Nirala, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 29-01-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner, apprehending his arrest in connection
with Saharsa (Sadar) P.S. Case No. 177 of 2011 registered for the
offences punishable under Sections 147, 148, 149, 188, 353, 427,
447, 448, 436 and 337 of the Indian Penal Code and 3/4 of
Prevention of Damage of Public Property Act, seeks the privilege
of pre-arrest bail.

Allegedly, the petitioner and other F.I.R. named accused
persons including some unknown persons came to the Electricity
Office and set articles of the office on fire by which loss of Rs.
5000/- was caused.

Submission is of false implication and that the petitioner

is a small businessman and on the same date, two cases have been lodged and in Saharsa Sadar P.S. Case No. 178 of 2011, the petitioner has been allowed pre-arrest bail by this Court itself and as such, the petitioner deserves sympathetic consideration, to which the learned A.P.P. fairly submits that against the petitioner, there is no specific allegation of committing any overt act rather the member of the mob.

In the facts and circumstances as stated above, the petitioner, in case of his arrest or surrender within two months from the date of receipt/production of the copy of this order, shall be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saharsa in connection with Saharsa (Sadar) P.S. Case No. 177 of 2011, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Jitendra Mohan Sharma, J.)

Vats/-

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