

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11154 of 2015

Arising Out of PS.Case No. -28 Year- 2014 Thana -NTPC KHAIRA District- AURANGABAD

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Surendra Pal

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Rajeshwar Singh, Advocate.

For the Opposite Party : Mr. T.N.Thakur (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 18-03-2015

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 152, 224, 225, 291, 307, 323, 332, 333, 334, 341, 342, 353, 504, 506 of the Indian Penal Code and 27 of the Arms Act.

It is alleged that the police officials during checking of the vehicles made attempt to stop a Bolero vehicle though the driver of the vehicle tried escape but intercepted by the police when one Nitesh Kumar Patel @ Chintu Patel was apprehended but subsequently on the order of Dilip Patel all the F.I.R. named accused persons including 50-60 unknown pelted bricks and stones on the police party and resorted to firing. The accused got released Nitesh Kumar Patel.

It is submitted by learned counsel for the

petitioner that accusation is omnibus and general the police personnel did not receive any injury, a statement to that effect has been made in paragraph no. 9 of the petition which reads as follows:-

"9. That no firing as such as alleged has been made and moreover no offence u/s 307 of the I.P.C. is made out as no police men have even suffered scratch.

A further statement has been made in paragraph no. 3 of the petition that the petitioner has no criminal antecedent.

Considering the aforesaid facts, let the petitioner, above named, be released on bail in the event of arrest or surrender before the learned court below within a period of twelve weeks from today in connection with NTPC Khaira P.S. Case No. 28/2014 on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M. Aurangabad, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

(Dinesh Kumar Singh, J)

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