

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14791 of 2015

Arising Out of PS.Case No. -30 Year- 2015 Thana -BIHIYA District- BHOJPUR

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1. Putul Sah S/o Sri Kashinath Sah R/o Village - Karja, P.S. Bihiya (Bahoranpur O.P.), District - Bhojpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mithilesh Kumar Upadhyay, Advocate

For the Opposite Party/s : Mr. S.Dayal(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 13-04-2015

Heard learned counsel 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, 332, 333, 307, 427, 120B of the Indian Penal Code and 3(1) (x) of the S.C./S.T.(Prevention of Atrocities) Act.

It is alleged that police came to extinguish the fire lit by a mob, then this petitioner instigated the co-accused to pelt stones, as a result the glass of the police jeep was smashed and two police personnels received injury.

It is submitted by the learned counsel for the petitioner that for the same occurrence two cases were lodged, one by the Headmaster of the school being Bihiya P.S. Case No. 29 of 2015, where it is alleged that in a protest being made

against the illegality committed in distributing the benefits under the dress scheme, the accused persons put the furniture and other articles of the school on fire. It is also alleged against the petitioner that petitioner had instigated the mob to commit the offence.

It is submitted by the learned counsel for the petitioner that at earlier point of time the petitioner made complaint against the Headmaster and subsequently an enquiry was ordered as a result the Headmaster disclose the name of the petitioner in the case. Statement has been made in para-3 of the petition that petitioner has no criminal antecedent.

Considering the fact that petitioner has no criminal antecedent, let the above named petitioner be released on bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur, Ara in connection with Bihiya/Behea (Baharanpur O.P.) P.S. Case No. 30 of 2015, subject to conditions as laid down under Section 438(2) of the Indian Penal Code.

(Dinesh Kumar Singh, J)

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