

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30464 of 2014

Arising Out of PS.Case No. -178 Year- 2011 Thana -SAHARSA District- SAHARSA

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

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. N. K. Aggrawal, Sr. Advocate

For the Opposite Party/s : Mr. M.K. Nirala(App)

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

2 21-01-2015 Heard learned Sr. Counsel for the petitioner and

learned counsel representing the State.

Petitioner apprehends his arrest in connection with

Saharsa (Sadar) P.S. Case No. 178 of 2011 registered for the

offences punishable under Sections 147, 148, 149, 188, 323, 353,

427, 447, 448, 436, 437 of the Indian Penal Code and Sections 3

and 4 of Prevention of Damage of Public Property Act.

Allegedly, the petitioner and other FIR named

accused persons along with 25-30 unknown burnt the jeep and

truck and further damaged the door of the office of the informant

and after taking away the revenue register and DCR book ,set

them on fire causing loss of rupees three lacs to the office of the

informant.

Submission is of false implication and that the petitioner is a small businessman and on the same date two cases have been lodged and the vehicles which are alleged to be set on fire were not in use and there is no specific allegation against the petitioner and as such the petitioner deserves sympathetic consideration to which the learned APP fairly submits that against the petitioner there is no specific allegation of committing any overt act rather he was the member of mob.

In the facts and circumstances stated above, the petitioner above named, in case of his surrender or arrest within two months from the date of receipt/production of a 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. 178 of 2011, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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