

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37595 of 2015

Arising Out of PS.Case No. -81 Year- 2012 Thana -BIHTA District- PATNA

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1. Bijendra Ram @ Bijendra Mochi Son of Hariram Mochi resident of
village - Ahiyapur, P.S. Bihta, District - Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Bhardwaj

For the Opposite Party/s : Mr. Abhay Kr.Roy(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 22-09-2015

Heard learned counsels for the petitioner and
the State.

Petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections 147, 148,
149, 341, 342, 323, 337, 338, 302 of the Indian Penal Code.

The prosecution case is that the informant
being SHO, Bihta Police Station received information that one
Santosh Mochi has been killed in a road accident by a trucker
and the local people in the leadership of petitioner demanded
compensation and subsequently killed the driver of the truck
who crushed Santosh Mochi.

It is submitted by learned counsel for the
petitioner that another uncle of the victim Santosh Mochi
namely Raj Kumar Ram lodged Bihta P.S. Case No. 80 of 2012
and the mob assaulted the driver. Hence, subsequently the

police, in order to save its own skin roped the family members of victim Santosh Mochi including the petitioner. The case lodged by the petitioner's side is at earlier point of time. Moreover similarly situated co-accused Raj Kumar Ram has been granted anticipatory bail vide Cr. Misc. No. 7553 of 2014.

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

Considering the aforesaid facts, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Danapur in connection with Bihita P.S. Case No. 81 of 2012, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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