

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9015 of 2015

Arising Out of PS.Case No. -173 Year- 2012 Thana -ARA NAWADA District- BHOJPUR

1. Amit Kumar Banti @ Amit Son of Sheojee Prasad Resident of village -
Gola Mohalla, Ara, P.S. Ara Town, District - Bhojpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akhileshwar Prasad Singh, Senior Adv.
Mr. Prabhu Narayan Sharma

For the Opposite Party/s : Mr. Navin Kr.Panday(App)

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

5 30-07-2015 Heard learned counsel for the petitioner and the State.

In this case, petitioner is seeking bail in Ara Nawada
P.S.Case No. 173 of 2012 registered under Sections 147, 149, 341,
342, 323, 504, 506, 353, 427, 120B IPC and Section 3 /4 of
Damage to Public Property Act.

The short facts of the case is that when the Chairman
of the Commission of Scheduled Caste and Scheduled Tribe,
namely, Sri Vidyanand Bikal had gone to make inspection of Dr.
Bhimrao Ambedkar Hostel, Katira, Ara petitioner and other
accused persons surrounded him and took in the western side of
the hostel, applied black on his face and misbehaved with him
using filthy language. Somehow and other, he was escorted and
freed.

Name of petitioner has been specifically mentioned in different paragraphs of the case diary.

Counsel for the petitioner submits that there is no specific allegation against the petitioner to have caused damage to the public property. The only allegation against the petitioner is of misbehaving and it is submitted that as the petitioner who is a practicing lawyer, used to oppose the illegal action of the authorities, he has been falsely implicated in this case.

Looking to the facts and circumstances of the case, in the event of arrest or surrender within six weeks, petitioner Amit Kumar Banti @ Amit is directed to be released on anticipatory bail on his furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri N.Dayal, Judicial Magistrate, 1st Class, Arrah in Ara Nawada P.S.Case No. 173 of 2012, subject to the conditions laid down under Section 438(2) of Code of Criminal Procedure.

He will co-operate with the investigation of the case and will submit himself before the Police for interrogation whenever it is required and, in failure, the court below will be at liberty to pass appropriate order, including cancel bail bonds.

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(Shivaji Pandey, J)