

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43434 of 2015

Arising Out of PS.Case No. -155 Year- 2013 Thana -MASRAKH District- SARAN

Arvind Tirpathi, son of Jai Deo Tirpathi, resident of village-Ghoghia, Police Station-Mashrakh, District-Saran at Chapra.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 14-10-2015 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Mashrakh P.S. Case No.155 of 2013 registered under Sections 147, 148, 149, 353, 427, 435, 307, 379, 332, 333, 337, 338 and 504 of the Indian Penal Code besides Sections 3/4 of the Damage of Property act.

The accusation is that due to the death of two school boys on account of taking midday meal, Mashrakh P.S. Case No.154 of 2013 was instituted on 16.07.2013 and in that respect, the informant, who is the police official alongwith other police officials, was present in the village to maintain the law and order. At that time, the mob 200-250 in numbers and 32 persons, named

in the F.I.R., including the petitioner started to create disturbance and damaged the police vehicle etc.

Learned counsel appearing on behalf of the petitioner submits that while the petitioner is named in the F.I.R. but no specific overt act has been attributed to the petitioner. Moreover, the village of the petitioner is 10 kilometers away from the place of occurrence and, therefore, there was no occasion for the petitioner to be present there. The petitioner has no criminal antecedent.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, First Class, Chapra, in connection with Mashrakh P.S. Case No.155 of 2013, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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