

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49512 of 2015

Arising Out of PS.Case No. -34 Year- 2014 Thana -SALAIYA District- AURANGABAD

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Satyendra Bhuiyan Son of Sri Bilash Bhuiya Resident of Village -
Sadosarai Tola - Bairyga Bigha, P.S.- Salaiya, District - Aurangabad

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13

For the Opposite Party/s : Mr. Satyendra Prasad (App)

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA
PRATAP SINGH
ORAL ORDER

3 15-12-2015 Petitioner apprehends his arrest in a case under section
147, 148, 149 & 435 of the Indian Penal Code and under
section 17 of Cr.L.A. Act.

The allegation is that one Subodh Prasad, S.H.O., Salaiya
Police Station recorded his self-statement on 23/07/2014 at
07:15 hrs. on camp gram Mirgan Airtel Tower, alleging, inter
alia, therein that on the same day i.e. 23/07/2014 early morning
at 05:30 hrs., he got information that one Rampravesh Yadav
with his associates Vishundeo Mistry, Satyendra Bhuiyan
(petitioner), Sanoj Sao, Kapil Bhuiyan along with 20-25 others
have burnt the Airtel Tower situated at Mirganj. Upon receipt
of information, informant along with other Police Officers after
making Sanha entry and giving information to superior officer
proceeded for place of occurrence along with some police

personnel. They found the Mobile phone tower of AIRTEL in burnt condition and also found traces of kerosene oil and a handbill having written an outfit organization's slogan on it.

The petitioner submits that he has no antecedent and has been implicated in the instant case on mere suspicion and village politics. He further submits that the FIR seems to be antedated as the learned Judicial Magistrate had seen the same on 26.7.2014. He further submits that except for Arms Act, other sections imposed on him are bailable.

In the facts of the case, the petitioner is directed to surrender and seek regular bail in PS.Case No. -34 Year- 2014 Thana -SALAIYA District- AURANGABAD/ GR No.1460 of 2014 which would be considered on its own merit preferably on the same day without prejudice also taking into consideration that he has no antecedent and has not been attributed any overt act.

Shashi.

(Samarendra Pratap Singh, J)

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