IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51513 of 2014

Arising Out of PS.Case No. -241 Year- 2014 Thana -NOORSARAI District- NALANDA (BIHARSHARIFF)

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Ravindra Kumar son of Lakhan Prasad resident of village - Jamunapur, P.S. Noorsarai, District - Nalanda

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Anil Chandra
For the Opposite Party/s : Mr. Shakir Ahmad(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

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2 14-05-2015 Heard learned counsel for the petitioner as well as learned counsel for the State.

In this application for anticipatory bail the petitioner apprehends his arrest for the offences punishable under sections 147, 149, 341, 342, 323, 353, 379 and 504 of the I.P.C.

Allegedly, when the informant and other officials were engaged in distribution of flood relief, the petitioner and his wife along with 50 male and female persons armed with lathi-danda came and confined the informant, revenue clerk and Panchayat Secretary for three hours and took away the flood relief articles. They have attempted to take away cash also and due to that action the informant and others were obstructed in discharging their duties.

Submission is of false implication and that no offence

under section 353 I.P.C. is made out. The allegation of taking away the relief articles is super addition. There is no specific allegation as to what articles were taken away by whom. As a matter of fact, the petitioner and others have protested the illegal and corrupt act of the informant and others during distribution of flood relief and due to that this false case has been lodged. The wife of the petitioner was in job as A.N.M in Aurangabad and further the petitioner has got no criminal history, to which the learned A.P.P. opposes.

Considering that there is no specific allegation as to what articles has been taken away by whom and the petitioner was the member of mob and as such the petitioner in case of his arrest or surrender within two months from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of. C.J.M. Nalanda at Biharsharif in Noorsarai P.S. Case No. 241 of 2014, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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