

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7221 of 2016

Arising Out of PS.Case No. -318 Year- 2015 Thana -GIRIYAK District- NALANDA
(BIHARSHARIFF)

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Sujeet Kumar @ Sujeet Sao, son of Prasadi Sao, resident of Village-
Giriyak, Police Station- Giriyak, District- Nalanda

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar, Advocate

For the Opposite Party/s : Mr. A.K.Choudhary(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 12-02-2016 The matter has been listed out of turn on the ground that

father of the petitioner namely Prasadi Sao had died on 02.02.2016

and last rites of his late father is scheduled on 12.02.2016. The

death certificate has been brought on record by way of

supplementary affidavit sworn by cousin (brother) of the petitioner

namely Manoj Kumar.

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered

for the offences punishable under Sections

147/148/149/323/324/307/224/225/353/333/337/504/506/379/511

of the Indian Penal Code.

Prosecution case is that the informant being the Sub-

Inspector of police of Giriyak police station went to arrest



warrantees/absconding accused persons when one Ajay Kumar of village Chhabilapur, told him that warrantee/accused Indradeo Yadav and Ramsharan Yadav are available in the village. The informant tried to apprehend them but the accused Ramsharan Yadav managed to flee away on the western side of the road towards brick Kiln when other warrantee/accused Indradeo Yadav was apprehended. Thereafter, accused Ramsharan Yadav called his men, when 60-70 persons attacked to the police force and got the apprehended accused Indradeo Yadav released. The accused persons pelted stones on the police party, as a result, constable Harilal sustained injuries, leading to registration of FIR against 11 persons including the petitioner.

It is submitted by learned counsel for the petitioner that that the thrust of accusation is against co-accused Indradeo Yadav and Ramsharan Yadav and the petitioner has been roped in the present case since he happens to be an associate of Indradeo Yadav. Moreover, the accusation is against mob. Though the petitioner is accused in two other cases but both the cases were registered in 2001 and the petitioner is on bail in both the cases.

Considering the thrust of accusation against co-accused Indradeo Yadav, Ramsharan Yadav and others but the accusation against the petitioner is omnibus and general, let the above named

petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Nalanda at Bihar Sharif in connection with Giriyak P.S. Case No.318/2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

However, the learned court below will be at liberty to cancel the bail bond of the petitioner, if he defaults for three consecutive occasions or gets involved in some serious nature of offence.

(Dinesh Kumar Singh, J)

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