

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8538 of 2016

Arising Out of PS.Case No. -222 Year- 2012 Thana -JAYNAGAR District- MADHUBANI

1. Dharmendra Yadav @ Dharmendra Kumar Yadav Son of Manendra
Yadav, Resident of Village- Laskariya, P.S. Jai Nagar, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav, Advocate

For the Opposite Party/s : Mr. S.Dayal (App)

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

2 23-02-2016

Heard learned counsel for the petitioner and the
State.

The petitioner is apprehending his arrest in a
case registered for the offences punishable under Sections
147, 148, 149, 341, 342, 333, 353, 337, 338, 427, 435,
434, 307, 504, 506, 120B of the Indian Penal Code, 3/4 of
the Explosive Substances Act and 25(1-B)a, 26, 27, 28 of
the Arms Act.

The prosecution case is that the informant being
S.H.O. of Jaynagar P.S. was on duty along with other
police personnel for maintaining the law and order at
Railway Station, Jaynagar. In the meantime, on the secret



information received that thousand riotous having deadly weapons assembled at the Police Station and throwing stones, bricks and bottles of petrol. Thereafter the police tried to pacify the mob when firing was resorted by the mob on the police party and several police personnel received injuries, leading to registration of First Information Report. On arrival of S.D.M., Jainagar police resorted to lathi charge on the mob. The petitioner was not named in the First Information Report, but his name sprang up during investigation.

It is submitted by the learned counsel for the petitioner that accusation is against mob. The name of the petitioner sprang up during investigation on suspicion and the police lodged the present case in order to save their skin, since one person died by the police.

Considering the accusation against the mob, moreover the First Information Report named accused persons have been granted bail by a Coordinate Bench of this Court, let the above named petitioner be released on bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Madyhubani in connection with Jainagar P.S. Case No. 222 of 2012, subject to conditions as laid down

under Section 438(2) of the Code of Criminal Procedure.

(Dinesh Kumar Singh, J)

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