

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.9674 of 2016

Arising Out of PS.Case No. -119 Year- 2014 Thana -BARUN District- AURANGABAD

1. Surendra Paswan Son of Keshwer Paswan Resident of Village-Madhupur
P.s Barun District Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Leelawati Kumari

For the Opposite Party/s : Mr. T.P.Mandal (App)

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 12-04-2016 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Barun P.S.Case No. 119 of 2014 registered for the offences
punishable under Sections 147, 148, 149, 186, 323, 353, 307,
435, 337, 333, 504 of the I.P.C.

The prosecution case is that when the police in
course of patrolling duty reached at G.T. Road Munshi Bigha
gate, then saw that the G.T. Road is blocked by 23 persons,
named in the F.I.R and 70-75 unknown persons including the
petitioner, armed with lathi, danda, bricks, stones in their hand.
On seeing the police party, they started abusing by throwing
bricks and attacking through lathi, danda, and also set the police
jeep on fire, causing loss of Rs. 2 lacs of the State exchequer.

Learned counsel for the petitioner submits that in fact one Sikanadra Kumar Bind lodged Sadar Barun P.S.Case No. 120 of 2014 under Section 394 of the I.P.C. and protest was made for arresting of the accused. Due to that reason, the police implicated several persons including the petitioner with ulterior motive in present case.

Having considered the facts and circumstances of the case and the nature of allegation levelled against the petitioner, above named, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer of the bail of petitioner stands rejected. The petitioner is directed to surrender before the learned Chief Judicial Magistrate, Aurangabad in connection with Barun P.S.Case No. 119 of 2014 within four weeks and pray for regular bail, which would be considered by the Court below in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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