

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10921 of 2016

Arising Out of PS.Case No. -373 Year- 2015 Thana -LAHERIASARAI District- DARBHANGA

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Ashok Nayak, S/o Jagdish Nayak, R/o Mohalla- Imambari, P.S.-
Laheriasarai, District- Darbhanga.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-04-2016

Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case instituted under Sections 341, 323, 353 and 504 of the Indian Penal Code.

Allegation against the petitioner is that being a Tempo driver while carrying passengers in his Tempo he caused blockage of the road. On protest made by the petitioner, he was abused and was obstructed in discharging his official duty.

It is submitted on behalf of the petitioner that he has got no criminal antecedent. He is a Tempo driver. He has been made accused due to mistake of fact. He denies the allegation made in the F.I.R. He has been made accused at the instance of the Home Guard posted at the place of occurrence.

On behalf of the State, it is submitted that petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of arrest or surrender in the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two

sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Biraul, Darbhanga, in connection with Laheriasarai P.S. Case no. 373 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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