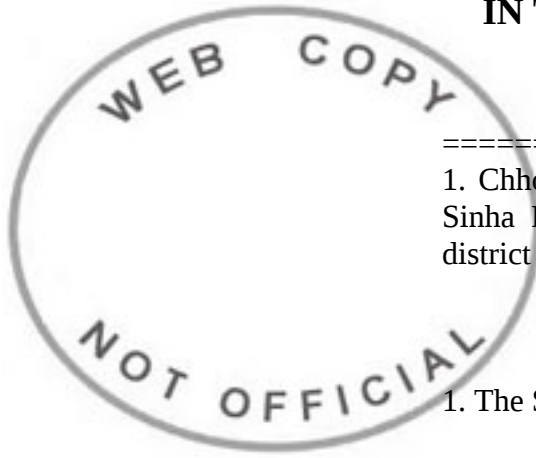




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9965 of 2016

Arising Out of PS.Case No. -272 Year- 2015 Thana -FALKA District- KATIHAR

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1. Chhotan Kumar Sinha @ Chhotan Sinha son of late Sureshwar Prasad Sinha Resident of village- Chakla Maula Nagar Police station - Pothia district Katihar.

..... Petitioner/s

Versus

1. The State of Bihar

..... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Arun Prasad Ambastha

For the Opposite Party/s : Mr. Raj Kishore Singh(App)

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 03-03-2016 Heard learned counsel for the petitioner and learned counsel for the state.

In this case, the petitioner is seeking anticipatory bail in connection with Falka (Pothia) P.S. Case No.272 of 2015, registered for the offence punishable under Sections 147, 148, 149, 353, 427, 354, 435, 436, 323, 337, 338 and 379 of the Indian Penal Code.

Prosecution case is that on 20.11.2015, a school bus met with an accident where the children and staff of the school received injuries. On such information, the informant being a police officer reached to the place of accident, where he found a mob of 200 people surrounded the Primary Health Centre, Sameli



and they damaged the furniture and several articles of the primary health centre. The informant informed the higher official and when he tried to pacify the mob, the accused persons pelted stones causing injuries to the police officials, medical staff and the DCLR. The accused persons are also alleged to have set the articles of primary Heath Centre on fire.

It is submitted by the learned counsel for the petitioner that accusation is against the mob. In fact, the mob was protesting against the inaction of the police and medical staff of the primary health centre. Though a statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the accusation against 15 FIR named and 200 unknown, let the petitioner-Chhotan Kumar Sinha @ Chhotan Sinha 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 bond of Rs.10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Katihar, in connection with Falka (Pothia) P.S. Case No.272 of 2015, subject to the conditions

as laid down under Section 438 of the Criminal Procedure Code.

The bail bond of the petitioner will be accepted on filing of the affidavit by the petitioner before the learned Court below to the effect that he will regularly co-operate in the investigation. Non-cooperation in the investigation by the petitioner will give liberty to the learned Court below to cancel the bail bonds of the petitioner.

(Shivaji Pandey, J)

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