

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11617 of 2016

Arising Out of PS.Case No. -381 Year- 2015 Thana -JOGAPATTI District-
WESTCHAMPARAN(BETTIAH)

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Bhushan Sah @ Indrabhushan Kumar @ Bhushan Gupta son of Yogendra Sah, resident of Village- Machhargawan, P.S.- Yogapatti, District- West Champaran. Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate
For the Opposite Party/s : Mr. Pradeep Narayan Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 16-03-2016

Heard the parties.

The petitioner apprehends his arrest in a criminal prosecution registered under Sections 153A, 295, 295A, 435, 436 and some other allied offences under the Indian Penal Code.

Taking into consideration the fact that the petitioner is specifically named in the first information report vide Annexure-1 as an accused and he appears to be the main culprit for the communal riot, which took place between two communities and also taking into consideration the fact that he is alleged to have played active role in putting the Madarsa on fire and further taking consideration the fact that he is involved in one more criminal case besides the present one, this Court is not inclined to accede to the prayer made on behalf of the petitioner for grant of anticipatory bail. Accordingly, his prayer for anticipatory bail in connection with Yogapatti P.S.Case 381 of 2015 pending in the court of Sri B.K.Rai, the learned Additional Chief Judicial Magistrate II, Bettiah, West Champaran is rejected.

However, if the petitioner surrenders in the court

below within a period of four weeks from today and applies for regular bail, then the same shall be considered on its own merits without being prejudiced by the present order.

(Birendra Prasad Verma, J)

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