

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18238 of 2016

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Sheo Pujan Singh, Son of Rangbahadur Singh, Resident of Mohalla-Sinduria, P.S. Mali, District- Aurangabad.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rajendra Prasad Singh, Sr. Advocate &
Mr. Mukesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 27-04-2016 Heard learned counsel for the petitioner and

learned counsel for the State.

By way of the present application preferred under
Section 482 of the Code of Criminal Procedure, the petitioner
seeks restoration of Cr. Misc. No. 13795 of 2016, which was
dismissed for want of prosecution on 01.04.2016.

It has been contended by the learned counsel for
the petitioner that the case could not be marked in the cause-list
by the clerk as a result of which, the counsel failed to appear
before the Court on call.

Regard being had to the submissions made at the
Bar, the prayer is allowed.

Cr. Misc. No. 13795 of 2016 is restored to its

original file.

Cr. Misc. No. 13795 of 2016

Since this application has been restored today itself, the same has been heard on merits.

The petitioner seeks pre-arrest bail in connection with Mali P. S. Case No. 06 of 2016, G. R. Case No. 177 of 2016 registered under Sections 147, 149, 341, 323, 353, 332, 504 and 506 of the Indian Penal Code.

It has been contended by the learned counsel for the petitioner that apart from Sections 353 and 332 of the Indian Penal Code, all other offences are bailable in nature. It has further been contended that it would be evident from the first information report itself that no injury was caused to any public servant and the allegation against the petitioner is confined only to the extent that he along with others raised slogan against the Officer-in-charge and other police personnel that they had tried to apprehend co-accused Jairam Singh.

Learned counsel for the State has submitted that apart from raising slogan, there is also allegation that the petitioner and others had pulled and pushed the police personnel.

Regard being had to the facts and circumstances of

the case, in the event of arrest or surrender before the court below within four weeks from today, the petitioner named above is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate,, Aurangabad in Mali P. S. Case No. 06 of 2016, G. R. No. 177 of 2016, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J.)

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