

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.17883 of 2016

Arising Out of PS.Case No. -78 Year- 2015 Thana -GURARU District- GAYA

1. Bheem Paswan Son of Lkshuman Paswan, Resident of village- Bagdiha,
P.S.- Guraru, District- Gaya

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satya Veer, Advocate

For the Opposite Party/s : Mr. Dilip Kumar(App)

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 05-05-2016

Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Guraru P.S.Case No. 78 of 2015 registered for offences punishable under Sections 147, 148, 149, 341, 342, 323, 324, 353,333, 337, 427, 307, 188, 504, 506, 109 and 115 of the Indian Penal Code and 27 of the Arms Act.

The prosecution case as lodged by the Officer-in-charge on 29.09.2015 at 7.30 A.M. on the basis of information is that the petitioner and several others, named in the F.I.R. obstructed the police party from taking away the dead- body of the deceased for postmortem and they indulged in brick-batting and stone pelting. They have also damaged the public property.

It has been submitted by the learned counsel for the petitioner that the allegation against him is general and omnibus

and no case under Section 307 and 353 is made out against him and the petitioner has clean antecedent as is evident from para-3 of this application.

It has further been submitted that a large number of persons have been named in the F.I.R. along with other persons and some of the similarly situated co-accused persons have been granted the privilege of anticipatory bail by a co-ordinate Bench of this Court vide order dated 10.03.2016 passed in Cr. Misc. No. 10085 of 2016, order dated 07.01.2016 passed in Cr. Misc. No. 412 of 2016, order dated 14.01.2016 passed in Cr. Misc. no. 57384 of 2015, order dated 24.02.2016 passed in Cr. Misc. No. 6077 of 2016 and order dated 23.02.2016 passed in Cr. Misc. No. 8614 of 2016.

Be that as it may, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of eight weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two sureties of like amount each to the satisfaction of Shri Rohit Kumar, Judicial Magistrate, 1st class, Gaya in connection with Guraru P.S.Case No. 78/2015, subject to the conditions as laid down under Section 438 (2) of the Cr. P.C.

(Nilu Agrawal, J)

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