

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No 20826 of 2016

Arising Out of PS.Case No. -331 Year- 2015 Thana -LALGANJ District- VAISHALI(HAJIPUR)

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Mirnal Kishore Mayank @ Monu S/o Kaushal Kishore @ Kaushal Kishore
Mishra R/o Mohalla - Patwatoli, P.S. Lalganj, Disttict - Vaishali

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi

For the Opposite Party/s : Mr. G.S.Gupta(App)

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CORAM: HON'BLE MR JUSTICE NAVANITI PRASAD SINGH

ORAL ORDER

4 12-08-2016

Petitioner apprehends arrest in relation to Lalganj

Police Station (PS) Case No 331 of 2015 instituted under Section
302 and some other sections of Indian Penal Code read with
Section 27 of Arms Act.

It appears that a lady was killed in an accident. There
was spontaneous public agitation. Police party came. There was
brick batting between police and public. Police resorted to lathi
charge and firing in which one person was killed. In retaliation,
people got agitated and started assaulting the police party in which
one of the police personnel received grievous injuries and died.
This led to institution of first information report in which apart
from petitioner, several others have been named.

Considering the facts and circumstances in totality, it

cannot be said that there was any premeditated and/or intentional attack on police party. Everything was spontaneous.

It may be noted that by order dated 26.05.2016, this Court has granted bail in anticipation of arrest in Cr Misc No 20315 of 2016 to one Mahesh Sharma who is similarly situated.

In the event of his arrest or surrender within four weeks from today, the petitioner abovenamed shall be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Vaishali at Hajipur in Lalganj PS Case No 331 of 2015 subject to all conditions as laid down in Section 438 (2) of Criminal Procedure Code.

(Navaniti Prasad Singh, J)

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