

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.51140 of 2016

Arising Out of PS.Case No. -332 Year- 2016 Thana -BAGHA District-
WESTCHAMPARAN(BETTIAH)

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Shyam Kishore Sah @ Shyam Kishore Prasad

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Zainul Abedin, Advocate,

For the Opposite Party/s : Mr. Rajendra Singh Shastriji, A.P.P. 47

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

4 23-12-2016

Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in judicial custody since 06.09.2016 in connection with Bagaha P.S.Case No. 332 of 2016 registered for the offence punishable under Sections 147, 148, 149, 323, 427, 379, 354 (B) and 395 of the Indian Penal Code.

The prosecution case is that the petitioner along with 300 unknown persons started damaging the shop of the informant and looted away the articles from different shops.

It has been submitted by the learned counsel for the petitioner that he is innocent and not named in the F.I.R. and his name has surfaced only on his own confessional statement. It has further been stated that all named accused have since been granted privilege of bail by learned Court below itself and other accused



has also been granted the privilege of bail by a Co-ordinate Bench of this court in Cr. Misc. No. 48881 of 2016 dated 20.12.2016. It has further been submitted that general and omnibus allegations have been levelled as it was a mob attack by which many shops were being demolished and petitioner just because he is alleged to be a muscles man, he has falsely been implicated .

However, learned A.P.P. for the State submits that the name of the petitioner surfaced during investigation and opposes the prayer for bail.

Be that as it may, since the other accused has been granted the privilege of bail, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Bagaha in connection with Bagaha P.S.Case No. 332 of 2016.

(Nilu Agrawal, J)

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