

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30847 of 2016

Arising Out of PS.Case No. -148 Year- 2015 Thana -PHULWARIA District- GOPALGANJ

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1. Arjun @ Dara Son of Lambu Prasad resident of Village- Bathuan Bazar,
P.S.- Phulwariya, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anirudh Kumar Verma

For the Opposite Party/s : Mr. Uma Shankar Pd. Singh

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 03-08-2016

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 147,148,149,341,323,324,307,337,338,353,153A, 295A, 427 and 379 of the Indian Penal Code.

The prosecution case is that during Mahaviri Akhara procession on 7.11.2015 when the processionists reached near the mosque they indulged in scuffle with the people of Muslim community and pelted stones against each other. The mob attacked the police force when a Inspector of Police sustained injuries. It is also alleged that accused also robbed the local shopkeepers. The FIR was lodged against 40 named and 150 unknown. The petitioner is named in the FIR.

It is submitted by the learned counsel for the petitioner that the accusation is omnibus and general against the mob. Statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent. There is counter version of the occurrence also and considering the aforesaid facts some of the co accused persons have been granted anticipatory bail by a co-ordinate bench of this court vide Cr. Misc. No. 16269 of 2016.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M. Ist Class, Gopalganj in connection with Phulwariya P.S. Case No. 148 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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