

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.41094 of 2016

Arising Out of PS.Case No. -224 Year- 2016 Thana -SHERGHATI

District- GAYA

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1. Rohit Kumar @ Bipin Singh, son of Ram Niwash Singh,
resident of Village- Kathar, P.S.- Sherghati, Distt.- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajendra Prasad, Adv.

For the Opposite Party/s : Mr. Anil Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

2 27-09-2016 Heard the parties.

This application, for grant of anticipatory bail, arises out of Sherghati P.S. Case No. 224 of 2016, disclosing offences under Sections 147, 149, 337, 353, 435, 427, 307, 341, 342, 323, 332 and 333 of the Indian Penal Code and Section 4 of Prevention of Damage of Public Property Act.

There are 72 persons named in the First Information Report, lodged on the basis of self-statement of Sub-Inspector of Police, Sherghati, Gaya, from which it

appears that the police reached at the place of occurrence upon receiving information that the villagers had set on fire a truck, near Morhar river. When the police arrived at the place of occurrence, allegedly 300 persons, who had collected there, made murderous attack on the police party and they damaged the police jeep.

Learned counsel for the petitioner has submitted that the petitioner's name has been mentioned in the First Information Report, on the basis of disclosure made by 20 persons, who were apprehended by the police. It has been submitted that there is no specific allegation against the petitioner and no purpose would be served, if he is allowed to be taken into custody.

I find substance in the submission so advanced on behalf of the petitioner.

This application is, accordingly, allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, 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 **learned Chief Judicial Magistrate, Gaya**, in connection with **Sherghati P.S. Case No. 224 of 2016**, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Praveen-II/-c

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