

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.34953 of 2016

Arising Out of PS.Case No. -55 Year- 2016 Thana -BHABHUA District- BHABHUA (KAIMUR)

1. Ginnee Patel @ Ginni Patel Son of Jagdish Singh, Resident of Mohalla-Gawai Mohalla, Bhabua Ward No. 20, P.S.- Bhabua, District- Kaimur (Bhabua).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Sunil, Advocate

For the Opposite Party/s : Mr. Manoj Kumar, A.P.P.

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 07-09-2016 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Bhabua P.S. Case No. 55/ 2016 registered for the offence punishable under Sections 147, 148, 149, 323, 332, 333, 353, 427 and 504 of the Indian Penal Code.

The prosecution case as lodged on the basis of F.I.R. is that the Patel Chowk road was blocked by keeping the dead body of one Satyawant Patel on road. It has also been alleged that the mob including the petitioner indulged in rioting and pelted stones and brickbats on the police personnel and Magistrate, who had reached there for maintaining law and order. The said activity

is said to have been video graphed.

It has been submitted by the learned counsel for the petitioner that there was a mob attack and the injury is not attributable to the petitioner as there was a mob of more than 500 people on the road. It has also been submitted by the learned counsel for the petitioner that co-accused Balwant Patel and Santosh Kumar Singh have since been granted the privilege of bail by a Co-ordinate Bench of this Court vide order dated 10.05.2016 passed in Cr. Misc. No. 13167 of 2016.

However, learned A.P.P. for the State submits that petitioner is named in the First Information Report, hence, opposes the prayer for bail.

Be that as it may, let the petitioner, named above, in the event of his arrest or surrender before the learned Court below within a period of eight weeks from today, be released 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 Chief Judicial Magistrate, Kaimur (Bhabua) in connection with Bhabua P.S. Case No. 55/2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

This is subject to the condition that the petitioner will appear before the police /court as and when required and failure to

appear on two consecutive dates without any reason will entail
cancellation of his bail bonds by the learned court below without
being prejudiced with this order.

(Nilu Agrawal, J)

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