

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37092 of 2016

Arising Out of PS.Case No. -267 Year- 2016 Thana -KHAGARIA District- KHAGARIA

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1. Sushil Singh @ Sushit Singh @ Sushil Kumar S/o Bishundeo Singh
Resident of Village - Tetarbad, Chandpura, P.S. - Gangaur Khagaria,
District – Khagaria Petitioner/s

Versus

1. The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Chandra

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 20-09-2016 Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Khagaria (Gangaur) Police Station Case No.
267 of 2016, disclosing offences under Sections 147, 148,
149, 323, 353, 307, 427, 337 of the Indian Penal Code.

An occurrence had taken place when polling was
going on for the Panchayat Election, 2016. The informant
was on duty as Magistrate on the date of occurrence.

Allegedly, nearly 50-60 persons created ruckus
and attacked the Polling Party. It is also alleged in the First
Information Report that on enquiry, the villagers disclosed
the names of the present petitioner and 3 others, who had
participated in commission of the offence.

Learned Counsel for the petitioner appears to be

right in his submission that there is vague and omnibus allegation in the First Information Report. There is no specific allegation of any overt act against this petitioner.

Considering the above submission, this application is allowed.

Let the petitioner, Sushil Singh @ Sushit Singh @ Sushil Kumar, 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/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria, in connection with Khagaria (Gangaur) Police Station Case No. 267 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.)

Prabhakar Anand/-

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