

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1730 of 2016

Arising Out of PS.Case No. -273 Year- 2015 Thana -FALKA District- KATIHAR

Manikant Yadav, Son of Newa Lal Yadav,

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Kalayan Shankar (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 13-01-2016

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 1478, 148, 149, 323, 332, 333, 290, 291, 427, 435, 436, 337,338, 379, 307 of the Indian Penal Code and 27 of the Arms Act.

Prosecution case is that on 20.11.2015, a school bus met with an accident when the children and staff of the school received injuries. On such information, the informant being a police officer reached to the place of accident when he found a mob of 200 people surrounded the Primary Health Centre, Sameli and they damaged the furniture and several articles of the primary health centre. The informant informed the higher official and tried to pacify the mob when the accused persons pelted stones causing injury to the police officials, medical staff and the DCLR. The accused persons are also alleged to have set the articles of primary

health centre on fire.

It is submitted by learned counsel for the petitioner that accusation is against the mob. In fact, the mob was protesting against the inaction of the police and medical staff of the primary health centre. Though a statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent but for the same incident the doctor of primary health centre has also lodged a FIR wherein the petitioner is also an accused. A supplementary affidavit to that effect has also been filed.

Considering the accusation against 15 FIR named and 200 unknown, 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 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Katihar in connection with Falka (Pothia) P.S. Case No.273/2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The bail bond of the petitioner will be accepted on filing of the affidavit by the petitioner before the learned court below to the effect that he will regularly co-operate in the investigation. Non-cooperation in the investigation by the

petitioner will give liberty to the learned court below to cancel the bail bonds of the petitioner.

(Dinesh Kumar Singh, J)

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