

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57658 of 2015

Arising Out of PS.Case No. -272 Year- 2015 Thana -FALKA District- KATIHAR

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Manikant Yadav Son of Newa Lal Yadav, resident of Village- Chakla
Maula Nagar, Police Station- Falka, District- Katihar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Indu Bala Pandey (App)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 14-01-2016

Heard learned counsel for the petitioner and learned

A.P.P. for the State.

Petitioner apprehends his arrest in connection with
Falka (Pothia) P. S. Case No. 272 of 2015 registered for offences
punishable under Sections 147, 148, 149, 353, 427, 354, 435, 436,
323, 337, 338 and 379 of the Indian Penal Code.

The prosecution case, in brief, is that on the date of
occurrence, i.e., 20.11.2015 at about 9:00 A.M., 15 – 17 injured
children were brought to the hospital for being treated. The injured
children were provided treatment. There was a fracture on the leg
of school bus driver, who was being provided first aid. In the
meantime, there was some noise outside the hospital. Some of the
children were being shifted in ambulance as they were referred for
better treatment. The informant saw that driver Kailash was being
beaten by mob and a local leader, Umesh Das was provoking the

mob. The petitioner was also provoking the mob to beat the doctor and staff of the hospital. The informant, Lab Technician and two Nurses were manhandled by the mob. The informant and others took shelter in hospital. Maximum number of staff of night shift and day shift were present in the hospital.

It has been submitted by the counsel for the petitioner that for the same offence, another case, bearing Falka P.S. Case No. 273 of 2015 has been instituted against the petitioner and 100 unknown persons in which petitioner has been granted privilege of bail in the event of arrest under order dated 13.01.2016 passed in Cr. Misc. No. 1730 of 2016. Even otherwise there is an omnibus allegation and also allegation of mob attack.

Under such circumstances, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of twelve weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar in connection with Falka (Pothia) P.S. Case No. 272 of 2015, subject to the conditions as laid down under Section 438 (2) of the Cr. P.C.

(Nilu Agrawal, J.)

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