

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40290 of 2016

Arising Out of PS.Case No. -224 Year- 2014 Thana -CHARPOKHARI District- BHOJPUR

1. Kailash Pathak aged about 54 years Son of late Laxmi Pathak Resident of Village: Thakuri, Police Station- Charpokhari, District Bhojpur at Ara.

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Shashi Ranjan

For the Opposite Party/s : Mr. Smt. Renuka Ratnakar

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 19-10-2016 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends his arrest in connection with Charpokhari P. S. Case No. 224 of 2014 for offences alleged under Sections 186, 342, 353 and 143 of the Indian Penal Code.

The prosecution case as lodged by the informant is that the extremist elements put a road block at Ara-Sasaram road due to death of two labourers who received electric shock. Further, allegation against the petitioner is that he became violent and tried to manhandle the police party and also tried to cause damage to a number of vehicles.

It has been submitted by the learned counsel for the petitioner that the petitioner is innocent and has falsely been

implicated in the aforesaid case. It has further been submitted that there was a mob who had gathered on the road and there were 12 named accused persons along with the petitioner. He submits that no specific allegation has been made and the allegations are general and omnibus. He further submits that it was a peaceful protest for compensation to the family members of the two deceased who had died due to electrocution and the petitioner has falsely been made accused due to village politics.

However, the learned APP for the State submits that the petitioner is named in the F.I.R., hence, opposes the prayer of bail.

Be that as it may, since the allegations are general and omnibus, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of eight weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, 13th, Ara in connection with Charpokhari P. S. Case No. 224 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Nilu Agrawal, J)

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