

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17491 of 2016

Arising Out of PS.Case No. -79 Year- 2015 Thana -UJIYARPUR District- SAMASTIPUR

Mahendra Das son of Murat Das, Resident of village- Najirpur Near
Railway Gumati, Bettle Shop, P.S.- Ujjarur, District- Samastipur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surya Narayan Roy

For the Opposite Party/s : Mr. Subash Chandra Mishra(App)

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

02/ 25-04-2016

Heard learned counsels for the petitioner

and the State.

The petitioner is apprehending his arrest in
a case registered for the offences punishable under Sections 448,
436, 341, 323, 325, 354 and 504/34 of the Indian Penal Code.

The prosecution case is that on 03.05.2015
at 8.00 P.M. the informant along with children playing in his
courtyard, in the meantime, co-accused Tilai Das set fire in the
wooden log and hutment of the informant when the sister and
mother of the informant raised alarm, thereafter co-accused
Umesh Das, Shatrudhan Das, Arvind Das, Ajeet Das came with
lathi and assaulted the informant and when the mother of the
informant came to rescue she was assaulted by co-accused
Arvind Das with iron rod and co-accused also abused and

assaulted the informant.

It is submitted by learned counsel for the petitioner that the specific accusation of lighting fire is against Tilai Das whereas accusation of assault is against co-accused Umesh Das, Shatrudhan Das, Arvind Das, Ajeet Das and Tilai Das. The accusation against the petitioner is omnibus and general. The assailants have been granted anticipatory bail vide Cr. Misc. No. 56778 of 2015.

A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the aforesaid facts, 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 twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Dalsingsarai (Samastipur) in connection with Ujiarpur P.S. Case No. 79 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

DKS/-

(Dinesh Kumar Singh, J)

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