

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.50090 of 2016

Arising Out of PS.Case No. -84 Year- 2016 Thana -GAMAHARIYA District- MADHEPURA

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1. Satya Narayan Mehta Son of Late Lakshmi Mehta resident of village -
Bhelwa, P.S. - Gamharia, District - Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shekhar Kumar Singh, Advocate

For the Opposite Party/s : Mr. Anand Mohan Prasad Mehta, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 30-11-2016 Learned counsel for the petitioner is permitted to make
necessary correction in para-1 of the prayer portion of this
application.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in jail since 22.08.2016 in
a case registered for offences punishable under Sections 147, 148,
149, 341, 323, 353, 307, 337, 338, 427 of the Indian Penal Code
and 27 of Arms Act.

The prosecution case as lodged by the Officer Incharge
of the Police Station is that on the date of occurrence, counting of
ballot papers was going on and one side was winning, hence the
other side demanded re-counting, which was rejected resultantly
200-250 male and 40- 45 female as well as 31 named accused,
including the petitioner started pelting bricks-stones and used



fire arms and some police personnel were injured.

Learned counsel for the petitioner submits that he is innocent and has been falsely implicated in the aforesaid case. He further submits that altogether four cases was lodged regarding the same mob attack on the fateful day and some of the persons have been granted the privilege of anticipatory bail. He submits that there is no specific allegation against him and it is general and omnibus. He further submits that no case under Section 307 and 27 of Arms act is made out against him.

However, learned A.P.P. for the State submits that the petitioner named in the F.I.R., hence, opposes the prayer for bail.

Considering the facts and circumstances of the case, since the allegation is general and omnibus, let the petitioner above named, be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each the to the satisfaction learned Additional Chief Judicial Magistrate, IV, Madhepura in connection with Gamharia P.S.Case No. 84 of 2016 corresponding to G.R. No. 871 of 2016.

(Nilu Agrawal, J)

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