

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26611 of 2016

Arising Out of PS.Case No. -189 Year- 2016 Thana -MOHANIA District- BHABHUA (KAIMUR)

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Birendra Chaudhary @ Virendra Chaudhary, son of Kameshwar Chaudhary, resident of Mohalla- Mallah Toli (Dandwa), P.S. Mohania, District-Kaimur (Bhabua).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Kumar Sunil

For the Opposite Party/s : Mr. Sri Jitendra Kumar Roy- 1

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 30-06-2016 Heard learned counsel for the petitioner and learned counsel for the State.

In this case, the petitioner is seeking anticipatory bail in connection with Mohania P.S. Case No.189 of 2016, registered for the offence punishable under Sections 147, 148, 149, 341, 323, 337, 504, 506 and 353 of the Indian Penal Code and under Section 53(b) of the Bihar Excise (Amendment) Act, 2016.

The Circle Officer, Mohania and other employees have gone for measurement of a plot on a complaint given by the villagers that one Ramesh Kumar Singh has encroached upon the land. During the measurement large number of persons assembled there and out of them 4 to 5 persons objected for the measurement and started abusing them and asked them to leave

the village. Allegation has been made to have caused injury by stick. It has further been alleged that some unknown persons started abusing and pelted stone. The Chaukidar disclosed the names of the persons who created nuisance.

Learned counsel for the petitioner submits that the petitioner has wrongly been implicated in this case. He further submits that the petitioner has gone to the place only to see that in that manner the measurement is going on. No specific role has been attributed against the petitioner, save and except, general and omnibus allegation.

Looking to the facts and circumstances of the case, let the above named petitioner, in the event of his arrest or surrender within four weeks from today be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Kaimur (Bhabua), in connection with Mohania P.S. Case No.189 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Shivaji Pandey, J)

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