

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31115 of 2016

Arising Out of PS.Case No. -173 Year- 2014 Thana -KURTHA District- JEHANABAD

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1. Deepak Kumar son of Sidheshwar Yadav resident of Village- Khem
Karan Sarai, Police Station- Kurtha, District-Arwal

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. M.Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 22-08-2016

Heard counsel for the petitioner and Mr. Dayal

APP for the State.

The petitioner apprehends his arrest in connection
with Kurtha P.S. case no. 173 of 2014, registered under Sections
147, 149, 332, 186, 153, 201, 353 and 504 of the IPC.

The SHO of the Kurtha P.S. on information went
to the place of occurrence where a dead body of a girl was lying.
When he started preparing to send the dead body for autopsy, it is
alleged that the villagers assembled there including the petitioner
started obstructing in performance of the official duty. An
attempt was also made to set the police jeep on fire.

Submission of the petitioner is that the accusation
is general in nature. The villagers were only protesting against the
inaction of the police. Other co -accused of this case has been
granted anticipatory bail vide order dated 31.5.2016 (Annexure-2)

Considering the above, I am persuaded to extend the privilege of anticipatory bail to the petitioner. Let the petitioner, named above, in the event of his arrest/surrender before the learned Court below within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Arwal, in connection with Kurtha P.S. case no. 173 of 2014, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with the further following conditions:-

- (i) One of the bailors shall be the own/close family member of the petitioner.
- (ii) As soon as the charges are framed the petitioner shall appear in person before the trial Court on the date(s) fixed at the trial. In case of default in such appearance on two consecutive dates, the trial Court shall have liberty to cancel the bail bonds of the petitioner and secure his arrest in accordance with law.

(Kishore Kumar Mandal, J)

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