

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56758 of 2015

Arising Out of PS.Case No. -268 Year- 2015 Thana -KUDRA District- BHABHUA (KAIMUR)

=====

Sanjay Rastogi @ Braj Bhushan Rastogi, son of Late Vishwanath Rastogi,
Resident of Village- Kudra Bazar, P.S.- Kudra, District- Kaimur (Bhabhua)

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner : Mr. Shyam Bihari Singh, Advocate

For the Opposite Party : Mr. Jitendra Kr. Roy No.1(APP)

=====

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 14-01-2016 Heard learned counsel for the petitioner and the

learned counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection with Kudra P.S. Case No.268 of 2015 for allegedly having committed the offence under Sections 147, 149, 323, 332, 326, 324, 307, 337, 435, 436, 333, 353, 427, 153(2), 295, 295A, 298, 120B, 504, 506 and 120B of the Indian Penal Code.

Learned Counsel for the petitioner submits that the present allegation against the petitioner has been drawn up by the Circle Officer of Kudra P.S. stating that on the occasion of Muharram, certain persons made an irrational attack on the procession of the people of one community and that there was a clash between both the communities.

The allegation is that about 150-200 persons ransacked several shops and set on fire *Taziya*. The petitioner is said to be one of the persons, who had been leading the mob, had indulged in such irrational act.

Learned counsel for the petitioner submits that so far as the present petitioner is concerned, the allegation against him is that he had also participated and led one such group. He further submits that the names of around 67 named persons have been mentioned in the F.I.R. in which the petitioner's name has also been figured at serial no.10. It is submitted that other similarly situated accused persons, who have been named in the F.I.R., have been extended the privilege of anticipatory bail by a Bench of this Court, vide order dated 14.12.2015, passed in Cr. Misc. No.56495 of 2015.

Considering the aforementioned facts and circumstances, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bond of ₹10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Kaimur at Bhabua, in connection with Kudra P.S. Case No.268 of 2015,

subject to the conditions as laid down under Section 438(2) of
the Code of Criminal Procedure.

(Anjana Mishra, J)

PNM

U		T	
---	--	---	--

