

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3506 of 2017

Arising Out of PS.Case No. -88 Year- 2016 Thana -GAMAHARIYA District- MADHEPURA

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1. Gangesh Kumar Bhagat @ Gangesh Bhagat, Son of Sahdeo Bhagat,
Resident of Village- Gamharia, 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

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

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 15-02-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Gamharia P.S. Case No. 88 of 2016 registered under Sections 147, 148, 149, 188, 341, 323, 333, 337, 353 and 307 of the Indian Penal Code.

The SHO of Gamharia Police Station alleged that there was prohibitory order U/s 144 Cr. P.C., but the supporters of defeated candidate of Mukhiya came and tried to sit on *Dharna*. When the Police did not allow them to sit there, in view of the prohibitory order, they started pelting stones.

Learned counsel appearing on behalf of the petitioner submits that there is no specific allegation against the



petitioner. Petitioner and 22 co-accused along with 2000 unknown villagers are said to have assembled there. The mob was demanding for re-conducting the election for the post of Mukhiya and other posts. Further submission is that similarly situated co-accused persons have already been allowed bail by a Bench of this Court vide Cr. Misc. Nos. 45934 of 2016 and 45618 of 2016.

Having considered the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the A.C.J.M.-IV, Madhepura in connection with Gamharia P.S. Case No. 88 of 2016 corresponding to G.R. No. 921 of 2016, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Arvind Srivastava, J)

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