

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1173 of 2017

Arising Out of PS.Case No. -496 Year- 2016 Thana -TURKAULIYA District-
EASTCHAMPARAN(MOTIHARI)

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Sunil Kumar @ Sunil Tiger, S/o Vishwnath Prasad Gupta, R/o Village-
Turkauliya Bazar, P.S.- Turkauliya, District- East Champaran

.... Petitioner

Versus

The State of Bihar

..... Opposite Party

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Appearance :

For the Petitioner : Mr. Ram Adya Singh, Advocate
Mr. Arjun Prasad, Advocate

For the Opposite Party : Mr. Shyam Kumar Singh (APP)

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 17-01-2017 Heard learned counsel for the petitioner and the

State.

The petitioner apprehends his arrest in Turkauliya
P.S. Case No. 496 of 2016 instituted for the offence under
Sections 147, 148, 149, 153(A), 332, 333, 323, 153(B), 295(A),
353, 143, 145, 504, 506 of the Indian Penal Code.

It is alleged that on the date of occurrence the
informant along with other police party had gone to Turkauliya
Bazar for removing Toran Dwar and decoration put on Toran
Dwar of Turkauliya Bazar Puja Samiti on the road which road was
pre-schedule road for Moharram procession for which license was
granted and ex-S.H.O had given direction to president of Puja
Samiti Mithlesh Kumar Soni and local Mukhiya Sunil Tiger
(petitioner) for removing decoration but they did not remove the
same. The informant and SHO went there and made query from



local Mukhiya and puja samitee but they refused to remove the decoration until immersion of the idol of Maa Durga and also told that no procession will be allowed to pass through road and they started announcement through Mike in the mela on which 200-250 persons variously armed with sword, hockey stick appeared. The petitioner along with other persons named in the FIR started raising slogan against administration and there was chance of break down of communal harmony. In this manner, there is general allegation against this petitioner. It further appears that this petitioner is an elected Mukhiya of Turkaulia Panchayat. In the circumstances, prayer of the petitioner for anticipatory bail is allowed.

In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with Turkauliya P.S. Case No. 496 of 2016, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Sanjay Priya, J.)

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