

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14523 of 2017

Arising Out of PS.Case No. -240 Year- 2016 Thana -PATNA CITY CHOWK District- PATNA

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Devanand Mahto Sono of Late Shivnath Mahto @ Brij Mohan Mahto
Resident of Village-Mohalla-Kadamtal Bahari Begampur P.S.-By-pass
District-Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashi Shekhar Sharma

For the Opposite Party/s : Mr. Smt. Indu Bala Pandey

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 30-03-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Chowk P.S.

Case No. 240 of 2016 instituted for the offence under sections
147, 148, 149, 188, 342, 332, 336, 338 427 307, 295(A) and 353
of the Indian Penal Code and 66 I.T. Act.

It is alleged that informant with other police party
went to place of occurrence to remove encroachment. It is further
alleged that one temple of devi Durga was established in the road
and on the issue of removing the aforesaid idol, several persons
were assembled on the place of occurrence.

It is submitted that the Pujari and several persons
assembled and attacked prosecution party by throwing stones
chips etc.



The petitioner's name is also mentioned in the FIR. As such, there is general and omnibus allegation against this petitioner. There is no allegation of any specific overt act against this petitioner.

From the written report itself, it appears that no injury has been sustained by anybody.

It is mentioned in para-3 that the petitioner has no criminal antecedent.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner named above, within six weeks from today, in connection with Chowk P.S. Case No. 240 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 Judicial Magistrate 1st Class, Patna City, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Sanjay Priya, J)

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