

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55389 of 2017

Arising Out of PS.Case No. -178 Year- 2011 Thana -SAHARSA District- SAHARSA

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1. Shiv Shankar Bikrant, son of Late Jhameli Bhagat, resident of Mohalla-Bengali Bazar, Ward No.20, P.S. + District-Saharsa.
 2. Vikash Kumar Gupta alias Vikash Gupta alias Kunal Gaurav, son of Vijay Kumar Gupta, resident of D.B. Road, Saharsa, P.S. + District-Saharsa.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 30-11-2017 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with Saharsa Sadar P.S. Case No.178 of 2011 registered under Sections 147, 148, 149, 188, 323, 353, 427, 447, 448, 436 and 337 of the Indian Penal Code besides Sections 3/4 of the Prevention of Damage to Public Properties Act.

The accusation is that the petitioners along with Ashutosh Ashu, Dayanand Tulsiyan, and Dhanman Keshari and 25-30 unknown indulging in agitation entered into the campus of the Electric Supply Division, Saharsa, and set the jeep and truck,



which were not in working condition, parked there on fire. They also damaged the window, door of the office and burnt the official registers etc. causing loss of Rs.3,00,000/- to the Electric Department.

Learned counsel for the petitioners submits that while the petitioners are named in the F.I.R. alongwith Dayanand Tulsiyan and two others and 25-30 unknown but no specific overt act is attributed to the petitioners. Further submission is that regarding the same occurrence, Saharsa Sadar P.S. Case No.177 of 2011 and Saharsa Sadar P.S. Case No.179 of 2011 on the basis of the written report of the Assistant Electrical Engineer and Section Officer of the Electric Supply Division, Saharsa, respectively were instituted against the petitioners and others. Further submission is that the similarly situated co-accused Dayanand Tulsiyan has already been granted the privilege of pre-arrest bail by a Bench of this Court vide order dated 21.01.2015 passed in Criminal Misc. No.30464 of 2014.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within four weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the



satisfaction of the Chief Judicial Magistrate, Saharsa, in connection with Saharsa Sadar P.S. Case No.178 of 2011, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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