

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55299 of 2017

Arising Out of PS.Case No. -41 Year- 2017 Thana -KIHIRI MORE District- PATNA

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Deo Narayan Bind, Son of Basudeo Bind, resident of Village- Tola Bigha,
P.S.- Khiri More, District- Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Sinha

For the Opposite Party/s : Mr. Dashrath Mehta

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA

ORAL ORDER

2 27-11-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Khirimore P.S. Case no. 41 of 2017, registered under Sections 147,
148, 149, 341, 342, 323, 283, 332, 333, 427, 353, 307 and 120-B of
the Indian Penal Code and Section 27 of the Arms Act.

The accusation is that on receiving information regarding
hanging of dead body with a tree at Aiyara panchayat in Ram Nagar
Badhar, the informant being the Police officer reached there and saw
that Officer-in-charge of Karpi P.S. along with other Police personnel
were trying to take the dead body in possession. At that time, mob of
about 150 people started making demand of high level enquiry and
compensation, while Police officials tried to convince them, but in the
meantime, 40 to 50 female and male took the dead body of deceased
and rushed towards the village Mungila. In spite of making protest, the



mob blocked the road and shop of the market was forcibly closed. Later on, anyhow Police personnel succeeded to recover the dead body. At that time, firing was also made in defence by the Police party. The informant disclosed the name of six persons named in the F.I.R. including the petitioner.

Learned counsel for the petitioner submits that, in fact, the petitioner, who is husband of local Mukhiya, reached there to help the Police, but petitioner has falsely been implicated in this case. Moreover, no specific overt act has been attributed against the petitioner and petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his 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 Addl. Chief Judicial Magistrate-III, Danapur in connection with Khiri More P.S. Case No. 41 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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