

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31432 of 2017

Arising Out of PS.Case No. -95 Year- 2017 Thana -MAKHDUMPUR District- JEHANABAD

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Vitori @ Victoriya Sao Son of Late Sanju Sao, Resident of Village- Tehta
Durga Asthan, P.S.- Makhdumpur (Tehta O.P.), District- Jehanabad.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sanjay Kumar, Advocate

For the Opposite Party : Mr. Ram Priya Saran Singh (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 19-08-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner apprehends his arrest in connection
with Makhdumpur (Tehta) P.S. Case No. 95 of 2017, registered
for the offences punishable under Sections 147, 148, 149, 341,
323, 324, 307, 380, 384 and 504 of the Indian Penal Code.

In the First Information Report only allegation
against the petitioner is that he was also present in the unlawful
assembly and regarding the allegation of assault and theft specific
allegation is against other co-accused.

Submission is of false implication and that the
petitioner has got no concern with those co-accused, he has been
made victim of the circumstances, there is nothing against the



petitioner and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. submits that the petitioner and other co-accused after forming unlawful assembly attacked the shop of the informant and the petitioner has got criminal antecedent.

In the facts and circumstances as stated above, considering that against the petitioner there is no specific allegation to have committed any overt act and, as such, the petitioner in the event of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M. Jehanabad, in connection with Makhdumpur (Tehta) P.S. Case No. 95 of 2017, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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