

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59496 of 2017

Arising Out of PS. Case No.-288 Year-2016 Thana- AURANGABAD TOWN District-
Aurangabad

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Shailendra @ Vikash Mehta, Son of Jtendra Mehtha @ Birendra Mehta,
Resident of Village- Shahpur, P.S.- Aurangabad (Town), Dist- Aurangabad
(Bihar).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha

For the Opposite Party/s : Mr. BAL MUKUND PRASAD SINHA

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 13-12-2017 Heard learned counsels for the petitioner and State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Sections 147, 148, 149, 341,
353, 337, 427, 283 and 342 of the IPC.

The prosecution case is that one Kamlakant Choubey was
killed and in protest of his murder, a mob blocked the road. The
police seized one Safari vehicle in connection with the murder,
but the mob damaged the said vehicle. The mob also prevented
the police in discharging their official duty, leading to
registration of FIR against nine named and 40-50 unknown
persons.

It is submitted by learned counsel for the petitioner that the
accusation is against the mob. The police in order to conceal its



inaction in controlling the crime, has lodged the present case. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Considering the nature of accusation against the mob, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Aurangabad (Town) P.S. Case No. 288 of 2016, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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