

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.715 of 2017

Arising Out of PS.Case No. -234 Year- 2016 Thana -JOKIHAT District- ARRARIA

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1. Badua @ Badrul @ Md. Badrul S/o Sahid, Resident of Village-
Thengapur, P.S. Jokihat, District-Araria

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma

For the Opposite Party/s : Mr. Sri Shailendra Kumar -1

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 13-02-2017 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner is in custody since 20.09.2016 in connection
with Jokihat P.S. Case No. 234 of 2016 registered under Sections 147,
148, 149, 341, 323, 326, 307, 353 379, 427, 504, 506 of the Indian
Penal Code and Section 3/4 of the D.P. Act.

Accusation is of assault and theft.

Learned counsel for the petitioner has submitted that
altogether 19 persons have been named in the F.I.R. but there is no
specific allegation against this petitioner rather there is general and
omnibus allegation against this petitioner. In fact, the petitioner being a
daily wages labourer, having no criminal antecedent, has no concern
with the alleged occurrence. Merely on the basis of suspicion, the name
of the petitioner has been implicated in this case and the petitioner is



rotting in custody for the last four months. Moreover, the co-accused, having more or less similar allegations, have already been granted anticipatory bail by a co-ordinate Bench of this Court in Cr. Misc. No. 42717 of 2016.

Considering the facts and circumstances of the case and the nature of accusation, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand rupees only) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-II, Araria in connection with Jokihat P.S. Case No. 234 of 2016.

(Arvind Srivastava, J)

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