

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1426 of 2017

Arising Out of PS.Case No. -285 Year- 2014 Thana -DUMRA District- SITAMARHI

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Shambhu Das, S/o late Sita Ram Das, R/o village-Thumma, P.S.- Runni
Saidpur, District-Sitamarhi

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Bimal Kumar, Advocate

For the Opposite Party : Mr. Yogendra Kr. Singh (App)

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 16-01-2017 Heard learned counsel for the petitioner and the

State.

The petitioner apprehends his arrest in Dumra P.S.
Case No. 285 of 2014 instituted for the offence under Sections
147, 148, 149, 323, 325, 307, 447, 448, 452, 353, 186, 188, 332,
333, 337, 338, 427, 435, 436, 109, 224, 225, 440, 120B of the
Indian Penal Code and under Section 52 of the Prisoner's Act.

It is alleged that on the date of occurrence the
prisoners Santosh Jha and Madhav Choudhary were being
transferred to different jail and their supporters created nuisance in
jail and started throwing bricks and stones upon the informant and
other officers and injured them, broke the gate of campus, set the
hospital and stores room of the jail on fire.

Petitioner is named in the First Information Report.



The petitioner's name appears in the item no.24. It has been submitted that there is general allegation against this petitioner. It has been stated that petitioner at that time was in jail in connection with Runni Saidpur P.S. Case No.495 of 2013 under Section 304B/34 of the Indian Penal Code as Devar of the deceased. He did not commit any overt act. It has further been submitted that other co-accused with similar allegation has been granted anticipatory bail by Co-ordinate Bench of this Court vide Cr. Misc. No. 11006 of 2015 dated 21.05.2015 and vide Cr. Misc. No. 27499 of 2015 dated 21.07.2015. In the circumstances, prayer of the petitioner for anticipatory bail is allowed.

In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with Dumra P.S. Case No. 285 of 2014, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Sanjay Priya, J.)

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