IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51498 of 2016

Arising Out of PS.Case No. -252 Year- 2015 Thana -PIRO District- BHOJPUR

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Manoj Kumar, S/o Mohan Prasad, Resident of Village- Hasanbazar, P.S.- Piro (Hasanbazar), District- Bhojpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :
For the Petitioner : Mr. Binod Kumar Singh, Advocate
For the Opposite Party : Mr. Sri Ganesh Prasad Singh (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 11-01-2017 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner apprehends his arrest in connection with Piro (Hasanbazar) P.S. Case No. 252 of 2015, registered for the offences punishable under Sections 147, 148, 149, 323, 325, 307, 353, 435, 427, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

Allegedly, one truck being driven by Godhan Singh dashed Amarjit Kumar @ Karia due to which he died at the spot after that mob became aggressive and attacked upon the truck. However, the informant protected the driver and Khalasi of the truck and brought them in police station and kept them in Hazat but mob attacked upon the police with a view to kill both Khalasi

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and driver. The informant and other police personnel tried to pacify the matter but mob set fire on the truck and also attacked upon the police party, they entered into police post and damaged the government property due to which police team became injured then police started to fire and control the situation and after that dead body of Amarjeet Kumar @ Karia was sent to hospital for post mortem. Choukidar and by way of video footage the miscreants were identified, they were total 82 in number and 500 unknown persons and accordingly case was registered against 82 persons and 500 unknown persons and the petitioner is one of them.

Submission is of false implication and that the allegation is omnibus and general in nature, no occurrence as such has taken place. The mob set fire of a truck and other vehicles and assaulted the police personnel. The petitioner was not present at the spot rather he was at Ara and his home is situated towards south of police post Hasan Bazar and due to inimical term with the local chaukidar he has been implicated in this case. The petitioner is a practicing Advocate in Civil Court, Ara and has got no criminal antecedent at all.

The learned A.P.P. submits that the petitioner is named in the First Information Report.

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In the facts and circumstances as stated above, considering that there is no specific allegation against the petitioner 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 learned A.C.J.M.-I, Ara, in connection with Piro (Hasanbazar) P.S. Case No. 252 of 2015, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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