

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.9102 of 2017

Arising Out of PS.Case No. -136 Year- 2016 Thana -EKMA District- SARAN

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Prahlad Mahto Son of Sharma Mahto, Resident of Village- Ekma Nonia
Toli, P.S. Ekma, District- Saran. Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar, Advocate

For the Opposite Party/s : Mr. Sri Chandra Bhushan Prasad, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 09-03-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner, apprehending his arrest in connection with Ekma P.S. Case No. 136 of 2016 registered for the offences punishable under Sections 147, 148, 149, 323, 353, 153A, 295 and 295A of the Indian Penal Code read with Section 3 of the Damage to Public Property Act, seeks the privilege of pre-arrest bail.

Allegedly, 300-400 persons armed with lathi, bamboo, bricks and stones attacked on the mosque raising anti Muslim slogan. Police officials tried to pacify the mob but in vain and the mob started pelting stones on the police party also then the Police chased them then they started fleeing away but two persons of the mob namely Pawan Singh and Vikky Kumar were arrested and the Police traced out the name of other accused persons who have been made accused.



Submission is of false implication and that how the name of the petitioner has come is not mentioned as who has stated the name of the petitioner is not mentioned and only on suspicion the petitioner has been named. There is allegation against the named accused persons as well as 300 to 400 unknown miscreants. There is no specific allegation against the petitioner. The petitioner is a law abiding citizen having no criminal antecedent and as such, he deserves sympathetic consideration.

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

In the facts and circumstances as stated above, the petitioner, in case of his arrest or surrender within four weeks from the date of receipt/production of the copy of this order, shall be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Saran at Chapra in connection with Ekma P.S. Case No. 136 of 2016, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Jitendra Mohan Sharma, J)

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