

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11264 of 2017

Arising Out of PS.Case No. -102 Year- 2016 Thana -MADHUBAN District- EASTCHAMPARAN
(MOTIHARI)

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1. Avinash Kumar, Son of Sikandra Rai, Resident of Village- Madhuaha
Maal, P.S.- Rajepur, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar No. III

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

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 03-04-2017 Heard both sides.

The petitioner apprehends his arrest in Madhuban
P.S. case No. 102 of 2016 under Section 188, 171 (F)(C), 324,
323, 307, 332, 333, 353, 341, 148, 149 of the Indian Penal Code
and under Section 126 of R. P. Act.

The informant alleged that a mob of 200-300 persons
called rally in support of Reena Devi, a candidate of Mukhiya, in
the evening.

The learned counsel for the petitioner submits that
petitioner is not named in the FIR. One motor cycle bearing
registration No. BR-06A/ 2182 was recovered from the place of
occurrence and the motor cycle belongs to the petitioner that is



why the petitioner has been falsely implicated in the case. It is further submitted that relative of the petitioner had gone to purchase medicine from the motor cycle of the petitioner and on account of fear of mob relative of the petitioner fled away leaving the motor cycle there.

Considering the facts aforesaid and the nature of allegations made against the petitioner, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-IV, East Champaran at Motihari in Madhuban P.S. Case No. 102 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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