

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36146 of 2017

Arising Out of PS.Case No. -327 Year- 2017 Thana -GANDHIMAIDAN District- PATNA

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Binod Kumar, Son of Sri Kishori Rai, a resident of Shanti Vihar, Block-
'B' behind Reserve Bank, P.S.- Gandhi Maidan, District- Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Mouar

For the Opposite Party/s : Mr. Sri Rajendra Prasad Nat

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

3 01-09-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Gandhi
Maidan P.S. Case No. 327 of 2017 for offences punishable under
Sections 147, 148, 149, 188, 341, 323, 325, 332, 333, 353, 379
and 307 of the Indian Penal Code.

The prosecution case, as lodged by the Block
Development Officer, Sadar Patna, is that on information received
from the S.D.O. Sadar, Patna and under direction of the Chairman
Bihar State Pollution Control Board, the advertising company of
the petitioner namely M/s M.S. Advertising Company was to be



sealed which was objected by the petitioner and who resorted to assault and obstructed discharge of official duty by the officials. The petitioner along with his father, mother and brother were taken into custody.

It has been submitted by learned counsel for the petitioner that he is businessman and bears no criminal history. Regarding the business premises not having N.O.C. certificate from the Pollution Control Board, appeal No. 53 of 2016 before the Board of Revenue is pending. He submits that no such act has been done by the petitioner and no case under Section 307 of the I.P.C. is made out against him, as there is no injury report in the case diary. He is languishing in judicial custody since 18.06.2017 and that the father, mother and brother have already been granted privilege of bail by the learned court below itself.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, 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 learned A.C.J.M.-Vith Patna in connection with Gandhi Maidan P.S. Case No. 327 of 2017, subject to the condition that one of the bailors



would be a close relative of the petitioner having sufficient immovable property within the jurisdiction of the concerned police station/ court, who will file an affidavit stating his relationship with the petitioner and if the petitioner induces and tamper with the witnesses and if it is brought to light, the prosecution will be at liberty to move the learned court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

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