

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38558 of 2018

Arising Out of PS. Case No.-97 Year-2018 Thana- BARUN District- Aurangabad

Sunil Kumar S/o Chhathu Singh Resident of Village - Shankarpur, P.S. Narari
Kala Khurd, District - Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwari
For the Opposite Party/s : Mr. Matloob Rab

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 06-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Barun P.S.
Case No. 97 of 2018 for offences punishable under Section 307
and other allied Sections of the Indian Penal Code and 3/4 of the
Prevention of Damage of Public Property Act, 1984.

The prosecution case, as lodged by the police
personnel, is that on death of one Gautam Kumar, who was run
down in a motor accident by unknown, a large number of
persons assembled in the police station premises for
compensation and resorted to violent means. Some of the police
personnel were injured, the police vehicles were set on fire and
also other articles were damaged. As many as 37 persons are
named in the F.I.R. and hundreds of persons were part of the
mob. Petitioner is also named in the F.I.R. to be one amongst



them.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal antecedent and is languishing in judicial custody since 17.05.2018. In fact, he was a passerby and had gone for treatment of his son, was buying medicine and was arrested on the spot. He submits that no overt act has been committed, it was a mob attack and some of the accused named in the F.I.R. have been granted the privilege of bail by co-ordinate Benches of this Court, one of them being Cr. Misc. No. 37364 of 2018 vide order dated 28.06.2018.

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 Chief Judicial Magistrate, Aurangabad, in connection with Barun P.S. Case No. 97 of 2018.

Rajesh/Pragya

(Nilu Agrawal, J)

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