

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4686 of 2018

Arising Out of PS.Case No. -177 Year- 2012 Thana -KHAJAUJI District- MADHUBANI

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1. Pankaj Kumar Chaudhary @ Rajesh Kumar Chaudhary, S/o Jitendra Chaudhary, Resident of Village- Kanhauli Dih, P.S.- Khajauli, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha

For the Opposite Party/s : Mr. Sri Uday Chand Prasad

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 02-02-2018

Heard the learned counsels for the parties.

The petitioner seeks bail in anticipation of his arrest in connection with Khajauli P.S. Case No. 177/2012 dated 14.10.2012 instituted for the offences under Sections 147, 148, 149, 452, 380, 353 and 427 of the Indian Penal Code.

According to the F.I.R., a protest was staged by the miscreants on the death of one Prashant in a road accident. The crowd, which had collected to protest against the killing, indulged in arson and loot and their acts destroyed and damaged the public property worth Rs. 7 lakhs. The petitioner is not named in the F.I.R. and his name transpired only after three and half months of the occurrence.

Learned counsel for the petitioner has submitted that he



has wrongly been roped in the present case without being any definite material against him. It has further been submitted that his name has been taken in the supervision note of the superior police officer because his name found mention in the written application given to the authorities by the Chhatra Shangharsh Samiti. With respect to the same occurrence, two other cases were lodged in which also the petitioner was made accused.

Some of the other co-accused persons have been granted anticipatory bail by this Court.

Considering the aforesaid facts, the petitioner above named is directed to be released on bail, in the event of his surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bond in the sum of Rs. 10,000/- (Ten Thousand), with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Madhubani in connection with Khajauli P.S. Case No. 177/2012, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J.)

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