

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19862 of 2018

Arising Out of PS. Case No.-8 Year-2017 Thana- UPHARA District- Aurangabad

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Satyendra Paswan, S/o Mahadeo Paswan, resident of Village- Bela, P.S.-
Uphara, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Adv.

For the Opposite Party/s : Mr. J. N. Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 05-04-2018 Heard learned Counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Sections 353, 427, 288, 147,
149 of the Indian Penal Code and section 3 of the Prevention of
Damage to Public Property Act, 1984.

The prosecution case got initiated on the basis of written
report dated 22.02.2017 submitted by one Sunil addressed to the
Station House Officer, Uphara Police Station to the effect that
on 20.02.2017 certain people attempted to install the statue of
Baba Saheb Bhimrao Ambedkar in the midst of the road. The
officials convened a meeting with the local people, whereupon,



it was agreed that the statue will be installed on the flank of the road. However, on 20.02.2017, the local people installed the statue in the midst of the road and also damaged the road. When the officials reached on the spot, they started raising slogans against the administration. On enquiry made from the local Chaukidar and the police personnel, 36 persons including the petitioner were suspected to be instrumental in installation of statue.

It is submitted by learned counsel for the petitioner that the accusation is omnibus and general and merely based on suspicion. Though the petitioner has been made accused in other case in the neighboring police station, but subsequent to lodging of the present case.

It is submitted by Mr. J. N. Thakur learned APP for the State that the petitioner is named in the FIR.

Considering the omnibus and general nature of accusation against the mob, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Aurangabad, in connection with Uphara P.S. Case No.8



of 2017, subject to the conditions as laid down under Section
438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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