

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34752 of 2018

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1. Parmatma Prasad @ Parmatma Jee Gupta, Son of Late Nand Kishore Prasad alias Jhelu Sah, Resident of Village- Usri Bujurg, Police Station- M.H. Nagar Hasanpura, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghav Prasad

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

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 03-07-2018

Heard both sides.

The petitioner apprehends his arrest in Siswan(M.H.Nagar) P.S. Case No.58 of 2018 registered under Sections 147, 148, 149, 295(a), 296, 427, 435, 504, 506, 379 of the Indian Penal Code.

The informant alleged that the accused persons were taking out a Ramnavmi procession but when the procession reached near the school, the processionists entered into the school and damaged the entire school property causing loss of more than Rs.50 lacs.

The learned counsel for the petitioner submits that police lodged Siswan P.S. Case No.56 of 2018 in which the police alleged that Ramnavmi procession was going on through



prescribed route but when the procession reached near graveyard some people of other community objected the procession and members of two sides entered into a scuffle. The police did not name the petitioner although, the police named 48 persons in Siswan P.S. Case No.56 of 2018. Thereafter, Siswan P.S. Case No.57 of 2018 is registered. After institution of both these cases, the informant of the present case lodged this case and named the petitioner but no specific allegation is made against the petitioner. It is further submitted that the informant side was aggressor but nobody was injured.

Having considered the facts that firstly police lodged Siswan P.S. Case No.56 of 2018 but the police did not name the petitioner later on, the informant lodged Siswan P.S. Case No.58 of 2018 for the same occurrence and named the petitioner and other accused persons but no specific allegation is made against the petitioner, the petitioner, above named, 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 learned A.C.J.M.-X, Siwan in connection with Siswan P.S. Case No.58 of 2018, subject to



conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

Saurabh/-

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