

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53125 of 2018

Arising Out of PS.Case No. -135 Year- 2018 Thana -MADANPUR District- AURANGABAD

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1. Raj Son of Sagir (Stylo Tailor), resident of Village- Madanpur, P.S. Madanpur, District Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar Singh

For the Opposite Party/s : Mr. Ahtash Ali Khan

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-09-2018 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 147, 148, 149, 341, 323, 353, 332, 427, 506, 290, 291, 188, 283 of the Indian Penal Code and Section-3 of Prevention of Damage to Public Property Act, 1984.

The prosecution case, in brief, is that when the informant went to remove the encroachment as per order of competent authority, the accused person protested the same and blocked the road.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The



petitioner is alleged to have protested against the encroachment drive initiated by the local administration. The petitioner has been made accused in this case due to mistake of fact. The other similarly situated co-accused namely, Irfan @ Md. Irfan has been granted anticipatory bail by a coordinate bench of this Court vide order dated 20-07-2018 passed in Cr. Misc. No. 42176 of 2018.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds 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 Madanpur P.S. Case No. 135 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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