

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52359 of 2018

Arising Out of PS.Case No. -120 Year- 2018 Thana -MAJORGANJ District- SITAMARHI

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Surendra Paswan S/o Raghunath Paswan, R/o Vill.- Dumari Kurd
(Khairwa), P.S.- Majorganj, District- Sitamarhi.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Uday Kumar

For the Opposite Party/s : Smt. Anusuiya Jaiswal

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-09-2018 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, 188, 427, 307, 282, 285, 379, 504, 506 of the Indian Penal Code. And ¾ of Prevention of Damage to Public Property Act.

The prosecution case, in brief, is that 17 FIR named including the petitioner and 1000 unknown persons in course of organization of Bharat Band, damaged the public property.

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. Altogether 17 persons have been named in the FIR along with 1000 unknown



persons. The petitioner has been made accused in this case due to mistake of fact. There is allegation of damaging the public property. No specific allegation has been made against the petitioner. General and omnibus allegation has been made against the petitioner. The other co-accused persons with similar allegation have been granted anticipatory bail by a coordinate bench of this court vide order dated 09-08-2018 passed in Cr. Misc. No. 46276 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 Additional Chief Judicial Magistrate-Ist, Sitamarhi in connection with Majorganj P.S. Case No. 120 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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