

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62162 of 2017

Arising Out of PS.Case No. -198 Year- 2017 Thana -ARWAL District- JEHANABAD

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Jitendra Kumar Son of Sri Gaya Prasad Resident of Village + Post -
Baidrabad, Police Station - Arwal, District - Arwal.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh

For the Opposite Party/s : Mr. Mithilesh Kumar Khare

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 03-01-2018 Heard the learned counsel for the petitioner and

learned counsel for the State.

The petitioner seeks anticipatory bail in connection
with Arwal PS case no. 198 of 2017 registered for the offences
punishable under Sections 147, 148, 149, 341, 323, 120(B), 504,
153(A) and 427 of the Indian Penal Code.

The allegation in the FIR is that the members of two
communities were creating a communal frenzy and rioting
resulting in obstruction in maintaining peace.

The learned counsel for the petitioner submits that as
many as 27 persons have been made accused in the present case
and there is general and omnibus allegation, as far as the petitioner
herein is concerned. It is further submitted that the petitioner has a
clean antecedent and has been falsely implicated in the present



case. It is also the contention of the learned counsel for the petitioner that barring section 153(A) of the Indian Penal Code, all other sections levelled in the present FIR are bailable and as far as section 427 is concerned, no such offence is made out.

Having regard to the facts and circumstances of the case, in the event of arrest or surrender within six weeks the petitioner above named is directed to be released on anticipatory bail on furnishing bonds of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Arwal in connection with Arwal PS case no. 198 of 2017, subject to the conditions enumerated under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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