

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52536 of 2018

Arising Out of PS. Case No.-187 Year-2017 Thana- PARAIYA District- Gaya

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SUNIL KUMAR@SUNIL YADAV Son of Late Munshi Yadav, Resident of
Village- Prabhua, P.S. Paraiya, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dinesh Prasad Verma

For the Opposite Party/s : Mr. Sri Amitesh Kumar

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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, 342, 323, 325, 307, 353, 386, 387, 427 and 504 of the Indian Penal Code.

The prosecution case, in short, is that while the police party were raiding the house of accused persons in connection with a case, the accused persons including the petitioner abused and assaulted them for release of their associates.

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 23 persons have been named in the F.I.R. including the petitioner. There is general and omnibus allegation



has been levelled against the petitioner. No specific overt act has been alleged against the petitioner. No person has sustained injury in course of occurrence. Hence, no offence under Section 307 IPC is made out.

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

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 A.C.J.M. -III, Gaya in connection with Paraiya P.S. Case No. 187/17, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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