

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.48167 of 2018**

Arising Out of PS.Case No. -11 Year- 2014 Thana -BAUNSI District- BANKA

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1. Gopal Sharma S/o Late Hardeo Sharma resident of Village - Bhagwanpur  
Ward No. 11, P.S. Bhagwanpur, District - Begusarai.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Rakesh Singh

For the Opposite Party/s : Mr.P.K.Jha

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

2      23-08-2018                      Heard the parties.

Petitioner is apprehending his arrest in Bounsi P.S.Case  
No.11 of 2014 registered for the offences under Sections 143, 188,  
304/34 of the I.P.C.

Allegation against the petitioner who was the Proprietor  
of Shobha Theater is of running the said theater and its  
management was not proper as entrance of theater was so  
congested stampede took place in which three persons succumbed  
to their injuries.

Submission of the learned counsel for the petitioner is  
that the petitioner is not at fault rather there is fault on the mela  
authority which will appear from the fact that the father of the  
petitioner has lodged complaint against the mela authority and not



against the petitioner.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of six weeks from today, be released on bail on furnishing bail bond of Rs.25,000/- with two sureties of the like amount each to the satisfaction of A.C.J.M.,-III, Banka, in Bounsi P.S. Case No.11 of 2014 subject to the conditions as laid down under Section 438(2) of Cr.P.C. and (1) one of the bailors must be a local person having sufficient immovable property within the jurisdiction of the concerned court. (ii) the petitioner will not induce any witness or tamper with the evidence and the petitioner shall co-operate in the investigation of the case and make himself available as and when required by the police, otherwise, the prosecution is free to move for cancellation of his bail bond.

**(Vinod Kumar Sinha, J)**

AnilKrSinha/-

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