

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56563 of 2018

Arising Out of PS.Case No. -96 Year- 2017 Thana -KASBA District- PURNIA

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1. VIVEK SAH @ VIVEK KUMAR LATH @ VIVEK LATH, Son of Raj Kumar Lath,
 2. Vinod Lath @ Binod Kumar Lath, Son of Sushil Lath @ Sushil Kumar Lath, Both residents of Rani Sati Chowk,
 3. Arjun Kumar, Son of Bijendra Singh @ Bijendar Singh, Resident of Taranagar, All of Police Station- Kasba, District- Purnea.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeeva Roy
For the Opposite Party/s : Mr. Ashok Kumar Singh 1

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

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

The petitioners seek anticipatory bail in a case instituted for the offences under Sections 147, 148, 149, 341, 323, 307, 353, 332, 333, 186, 427 & 283 of the Indian Penal Code.

As per First Information Report, an accident took place on NH 57 near Madarsa Chowk which led to death of a child, when the police came to remove the dead body of the child they were apprehended from all sides by the people of the locality. They blocked the movement of the vehicle and also scuffled with the police personnel and damaged the private property.

Learned counsel for the petitioners submits that the petitioners have no criminal history as well as no specific



allegation has been attributed upon them in connection with offence alleged. It has also been submitted that they are the persons of the locality and when the commotion started, the petitioners have approached to know the reasons of unusual assembly of the people for which the petitioners are named in the First Information Report.

Looking to the facts and circumstances of the case, in the event of arrest or surrender within four weeks from today, let petitioners, namely, Vivek Sah @ Vivek Kumar Lath @ Vivek Lath, Viond Lath @ Binod Kumar Lath and Arjun Kumar, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Purnia in connection with Kasba P.S. Case No.96 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure. It is made clear that if in future the petitioners are found to be involved in such activity, the prosecution will be at liberty to make a prayer for cancellation of anticipatory bail of the petitioners.

(Shivaji Pandey, J)

Vinay/Sunny

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