

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59015 of 2018

Arising Out of PS. Case No.-96 Year-2018 Thana- MOHIUDDIN NAGAR District-
Samastipur

=====

Lakariya S/o Kameshwar Paswan, R/o Vill.- Catchhari Gachhi, P.S.-
Mohiuddin Nagar, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7, Advocate
For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 28-09-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
20.06.2018 in connection with Mohiuddin Nagar P.S. Case No.
96/2018 for offences punishable under Section 307 and other
allied Sections of the Indian Penal Code.

The prosecution case, as lodged by the police
personnel, is that a communal disharmony arose between the
two different communities regarding burial of one Rehana
Khatoon and when the police party arrived, they were assaulted
by the villagers named in the FIR, 75 in number and 400-500
unknown persons. One police inspector received injury on his
head whereas other police inspector Priya Vrat also received



injury.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history, it was a mob attack and it is not ascertainable as to on whose assault the police personnel received injuries. He submits that one of the co-accused has been granted the privilege of bail by a co-ordinate Bench of this Court in Cr. Misc. No. 50720 of 2018 vide order dated 24.08.2018 and the petitioner is languishing in custody for more than three months.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Samastipur in connection with Mohiuddin Nagar P.S. Case No. 96/2018.

(Nilu Agrawal, J)

Rajesh/Pragya

U		T	
---	--	---	--

