

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70188 of 2018

Arising Out of PS. Case No.-225 Year-2017 Thana- KOTWALI District- Munger

Md. Kasif, S/o Firoj Gandhi, Resident of Village- Churamba, P.S.- Kotwali,
District- Munger.

... .. Petitioner/s

Versus

The State of Bihar. null null

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kumar Choudhary

For the Opposite Party/s : Md. Ansarul Haque

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 07-12-2018

Heard learned counsels for the parties.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 147,148,149,341,342,323,379,427,436,504 and 506 of the IPC.

The prosecution case as per the written report of Nikhat Ara submitted to the SHO, Basudeopur O.P. is to the effect that on 24.6.2017 the son of co-villager Firoz Gandhi died at Delhi and on 27.6.2017 at 12.00 A.M. the dead body was brought to the village. In the meantime, the petitioner along with 40-50 villagers came and they set the house of the informant on fire, ransacked the house and destroyed costly items, causing severe loss to the petitioner.

It is submitted by learned counsel for the petitioner that the accusation is omnibus and general and due to some dispute from before the accusation has been levelled.



Learned APP submits that there is specific accusation in the FIR.

Considering the fact that the accusation of putting the house on fire is against the mob and no injury has been caused to any one, coupled with the statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Munger in connection with Kotwali P.S. Case No.225 of 2017 subject to the conditions laid down in Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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