

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14357 of 2019

Arising Out of PS. Case No.-446 Year-2018 Thana- NAWADA District- Nawada

Arbind Kumar Gupta @ Arvind Kumar Gupta @ Arbind Sao @ Arvind Kumar Sao, aged about 45 years (Male), Son of Late Jagdish Sao, R/o Mohalla- Kalali Road, Kali Chowk, Garah Par, P.S- Nawada, District- Nawada.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate

For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL ORDER

3 29-03-2019 Heard learned counsel for the petitioner and
learned counsel for the State.

In this case, the petitioner is seeking anticipatory bail in connection with Nawada Town P.S. Case No. 446 of 2018, registered for the offence under Sections 147, 148, 149, 341, 323, 307, 337, 353, 283, 285 and 427 of the Indian Penal Code.

As per the F.I.R. one Jitendra Pratap @ Jitu was arrested by the Police. Against the said arrest, Kailash Vishwakarma along with 8-10 people came to the Police Station and started pressuring the Police personnel for releasing said Jitendra Pratap and also threatened that if said person will not be released, then the members of the Bajrang Dal will close down the market. It has also been alleged that under the leadership of said Kailash Vishwakarma the petitioner and others created



mess of the area and paralyzed the functioning of the market.

Learned counsel for the petitioner submits that the petitioner was only the member of the mob and no specific allegation has been made against him either directly or in any manner.

Looking to the aforesaid facts, let the above-named petitioner be released on anticipatory bail in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Nawada, in connection with Nawada Town P.S. Case No.446 of 2018, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure. Further condition is that whenever the police will call the petitioner for the purposes of investigation and interrogation, he will remain present for the investigation. In the event of being absent on two consecutive dates without reasonable explanation, the present order will be treated to have been cancelled.

(Shivaji Pandey, J)

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