

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37163 of 2019

Arising Out of PS. Case No.-843 Year-2018 Thana- TURKAULIYA District- East
Champaran

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Dharmendra Kumar @ Dharmendra Mahto, Aged about 25 years, Male, Son
of Vira Mahto, Resident of Village Singhiya Hivan, P.S. Banjariya, District
East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma
For the Opposite Party/s : Mr.Yogendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 19-06-2019 Heard both sides.

Petitioner apprehends his arrest in Turkauliya P.S. Case
No.843 of 2018, registered under Sections 147, 149, 341, 353,
323, 186 and 283 of the Indian penal Code and under Sections 3
and 4 of the Prevention of Damage to Public Property Act.

The informant, S.I. of Banjaria P.S., alleged that in a
road accident a person died and on account of such, the police
went there and sent the dead body for post mortem but Guddu
Kumar, Pappu Kumar, Dharmendra Mahto, the petitioner, Om
Prakash Sah, Rajesh Prasad, Shyama Kant Baitha @ Rama Kant
Baitha, Satya Narayan Yadav, Ram Vivek Kumar and many others
assembled there and blocked the road. They began to demand
compensation to the deceased.

It is submitted that the villagers assembled at the place



of occurrence and made peaceful protest. The petitioner is of course named in the FIR but no specific allegation is made against the petitioner. Petitioner did not assault any police official. Rajesh Prasad @ Rajesh Sah, one of the named accused of the FIR, has already been granted anticipatory bail vide order dated 02.04.2019, passed in Cr. Misc. No.20234 of 2019. The case of the petitioner stands on the same footing.

Taking into consideration the facts that of course the petitioner is named in the FIR but no overt act is alleged and similarly situated co-accused has already been granted anticipatory bail, let petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt of this order, 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 the learned C.J.M., Motihari, East Champaran in connection with Turkauliya P.S. Case No.843 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Prabhat Kumar Jha, J)

S.KUMAR/-

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