

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54971 of 2019

Arising Out of PS. Case No.-409 Year-2015 Thana- BIHTA District- Patna

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MINTU @ PINTU PASWAN Son of Late Subhash Paswan Resident of
Village-Katesar, P.S-Bihta, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amit Kumar Jha

For the Opposite Party/s : Mr.Lalan Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 30-08-2019 This application, for grant of anticipatory bail, arises

out of Bihta P.S. Case No. 409 of 2015, disclosing offences

under Sections 147, 148, 149, 341, 323, 325, 307, 353, 332,

333, 152, 153(A) of the Indian Penal Code.

Prosecution case is that a dispute arose with respect to

erecting the Mahavir Jhanda, in which there is scuffle between

the two groups of community and when the police went to

pacify the matter, they were also assaulted. Petitioner is also

named in the F.I.R.

Submission of learned counsel for the petitioner is

that though he is named in the F.I.R., however, no specific

allegation has been attributed to him and he also has no criminal

antecedent, and as he was out of the State, he could not earlier

appear in this case and other accused persons of this case has



already been granted the privilege of anticipatory bail.

Learned counsel for the State opposed the prayer for bail on the ground that the case is of the year 2015 and the petitioner has come in the year 2019.

Having heard both sides, considering the facts and circumstances of the case, this application is disposed of with direction to the learned court below to verify as to whether the process under Section 82 and 83 has been exhausted against the petitioner or not and if the process has not been exhausted, the court below shall release the petitioner to his own satisfaction on bail on furnishing bail bonds of Rs. 25,000/- (Rs. Twenty Five Thousand) with two sureties of the like amount, otherwise, petitioner will have to surrender and make prayer for regular bail.

(Vinod Kumar Sinha, J)

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