

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77537 of 2019

Arising Out of PS. Case No.-112 Year-2014 Thana- RUPAULI District- Purnia

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PAPPU YADAV @ PAPPU KUMAR, aged about 35 years, Gender-Male, Son of Parmanand Prasad Singh @ Parmanand Singh, Resident of Village-Rupauli, P.S.-Rupauli, District-Purnea.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Mukesh Kumar Jha, Advocate.
For the Opposite Party : Mr.Rabindra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-11-2019 Learned counsel for the petitioner is permitted to make necessary correction in paragraph no. 7 of the petition, in course of the day.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner is apprehending his arrest in a case for the offence registered under Sections 147, 148, 149, 448, 341, 323, 338, 379, 307, 332, 333, 435, 325, 326, 335, 426, 427, 434, 440 of the IPC and 27 of the Arms Act.

The prosecution story, in brief, is that on 09.06.2014 at 8.00 A.M. an accident took place at Rupauli Chowk in which four persons got injured and injured were sent to the Hospital for treatment and Bus was seized and in retaliation of said



accident, about 400-500 people assembled at Rupauli Police Station and created law and order problem. The S.H.O., Rupauli Police Station informed the matter to the higher authorities. It is alleged that the mob attacked on the police station and set fire the Bus, damaged the public property and assaulted the police personnels. Meanwhile, the higher police officials as well as Administrative authorities reached there and anyhow the mob was controlled.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. A road accident had taken place due to negligence on the part of the Bus driver in which four persons are said to have been injured. The local residents numbering to 400-500 surrounded the local police station in protest of the accident as the driver was being protected by the local police. Approximately, 29 persons are said to have been identified by the local police. General and omnibus allegation is made against the petitioner. Neither specific overt act is alleged against the petitioner nor any injury is said to have been caused by the petitioner.



On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-1st, Purnea, in connection with Rupauli P.S. Case No. 112 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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