

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1681 of 2015

Arising Out of PS.Case No. -76 Year- 2014 Thana -MOTIHARI MUFASIL District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Jitendra Sahani
 2. Hero Sahani.
 3. Ramkaran Sahani
 4. Jiyalal Sahani
 5. Mumtaz Mian @ Md. Momtaz @ Momtaz.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Virendra Kuar

For the Opposite Party/s : Mr. S.Dayal(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 16-01-2015 Heard learned counsels for the petitioner and the State.

The petitioners are languishing in jail since 10.04.2014, 04.09.2014, 10.04.2014, 18.05.2014 and 24.07.2014 in a case registered for the offences punishable under Sections 147, 148, 149, 342, 323, 324, 332, 333, 353, 427, 307, 308, 411, 452, 504 and 506 of the Indian Penal Code and Section 3 of Prevention of Damage to Property Act.

It is alleged by one Harendra Prasad being S.I. of police that on 15.03.2014 a mob of 150 people led by Babulal Sahani came to the police station and started pelting stones and damaged property of police station and subsequently made attempt to kill the police personnel.

It is submitted by learned counsel for the petitioners that the police apprehended one Gokul Chand Sahani, who later died and for demand of compensation, the public blocked the road, but the present case has been lodged by police to save its skin. Moreover, specific accusation of assaulting with farsa on the head of Krishna Rai is against co-accused Babulal Sahani, though, the injury has been found to be simple. The police also resorted to firing and considering the aforesaid facts other accused has been granted bail by this Court vide Cr. Misc. No. 31470 of 2014. A statement has been made in para 3 of the petition that the petitioner has no criminal antecedent.

Considering the aforesaid facts, let the above named petitioners, be released on bail, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari in connection with Muffasil (Lakhaura) P.S. Case No. 76 of 2014.

Learned counsel for the petitioners is permitted to make necessary correction in the petition.

(Dinesh Kumar Singh, J)

Amrendra/-

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