

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19496 of 2015

Arising Out of PS.Case No. -31 Year- 2010 Thana -BELSAND District- SITAMARHI
=====

1. Pappu Sahani S/o Sharan Sahani
2. Shivji Sahani S/o late Bhola Sahani.
3. Guddu Sahani s/o Sri Hari Kishore Sahani All 1 to 3 are residents of Village- Belsand, P.s Belsand, District Sitamarhi(Bihar)

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s
=====

Appearance :

For the Petitioner/s : Mr. Bijay Kumar Pandey

For the Opposite Party/s : Mr. T.N. Thakur (App)
=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 23-07-2015 Heard learned counsel for the petitioners and learned counsel representing the State.

Petitioners apprehend their arrest in connection with Belsand P.S. Case No. 31 of 2010 registered for the offences punishable under Sections 147, 148, 149, 341, 342, 447, 448, 323, 427, 435, 332, 337, 333, 353, 186, 307, 395 of the Indian Penal Code, Section 27 of the Arms Act and Section 17 of C.L.A. Act.

Allegedly, against green hunt operation of the Police, Maoist gave call of closure and to secure closure, 500-600 male and female persons attacked on Bharat Gas Agency and when the Police party tried to control the situation and pacify the matter, the Police jeep was set on fire to which the Police resorted firing.

Submission is that the petitioners are not named in the FIR and subsequently their names have been dragged in this case during investigation, there is no specific allegation and accusation is against the mob and in this case co-accused Bachcha Paswan @ Bachcha Paswas has been allowed pre-arrest bail vide order dated 27.08.2013 passed in Cr. Misc. No. 21465 of 2013 by another Bench of this Court to which the learned APP is not in a position to distinguish the case of the petitioners.

In the facts and circumstances stated above, the petitioners above named, in case of their surrender or arrest within two months from the date of receipt/production of a copy of this order, shall be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi in connection with Belsand P.S. Case No. 31 of 2010, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

avin/-

U		T	
---	--	---	--