

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25986 of 2015

Arising Out of PS.Case No. -87 Year- 2015 Thana -SASARAM MUFFSIL District- SASARAM
(ROHTAS)

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1. Suresh Choudhary
2. Upendra Choudhary Both sons of Dharamdeo Choudhary, resident of
Village: Badhaiya Bag, P.S: Sasaram, District: Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sada Nand Ray
For the Opposite Party/s : Mr. Nityanand(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-07-2015 Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case
instituted under Sections 147, 148, 149, 323, 337, 338, 353, 307,
427, 379 and 1220(B) of the Indian Penal Code and Section 4/40
of Bihar Mines Act and Sections 33, 41 and 42 of Indian Forest
Act.

The prosecution story, according to the FIR, is that
the informant P.S.I. Manoj Kumar Gupta had noted his self
statement stating therein that on secret information he along with
police force proceeded for patrolling and arrived at Old
G.T.RoadSome tractors loaded with illegal stones chips arrived
there. Ten persons were arrested and were interrogated, who
disclosed their names along with the persons, who were also

involved in this business and both the petitioners are among them.

It has been submitted on behalf of the petitioners that the petitioners are not named in the FIR. It has further been submitted that the names of the petitioners have come on the basis of confessional statement of accused. The petitioners have not been arrested at the spot. It is also submitted that other co accused, in the present case, have been granted anticipatory bail by the court below, vide Annexure 2 series. It is also submitted that the petitioners have got no criminal antecedent.

On behalf of the State, it has been submitted that the petitioners are not named in the FIR.

Considering the aforesaid facts, let the above named petitioners, in the event of their arrest or surrender in the court below within a period of four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand)each with two sureties of the like amount each to the satisfaction of learned C.J.M., Sasaram, in connection with Sasaram (Muffasil) P.S.Case No.87 of 2015, subject to the conditions as laid down u/s 438(2) Cr.P.C.

(Sudhir Singh, J)

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