

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43320 of 2014

Arising Out of PS.Case No. -60 Year- 2013 Thana -BISFI District- MADHUBANI

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1. Malti Devi Wife of Ram Prasad Sahni
 2. Premkala Devi @ Prem Kaliya Devi Wife of Shankar Sahni.
 3. Mariya Devi Wife of Biltu Sahni.
 4. Kaliya Devi Wife of Jibachh Sahni.
 5. Shankar Singh Son of Jugal Sahni
 6. Binod Sahni Son of Biltu Sahni
 7. Santosh Sahni Son of Ram Prasad Sahni
 8. Kamlesh Sahni Son of Ram Prasad Sahni
 9. Narayan Sahni Son of Jibachh Sahni
 10. Bechan Ram Son of Rajendra Ram
 11. Bharat Ram Son of Sahdeo Ram All Resident of Village-Janipur, P.S.- Bisfi, District-Madhubani.
 12. Ram Pari Devi Wife of Nirdhan Paswan
 13. Sunita Devi @ Gangiya Devi Wife of Gurucharan Sharma
 14. Raju Yadav Son of Pachkauri Yadav
 15. Panchu Yadav Son of Shital Yadav
 16. Nathuni Yadav Son of Palat Yadav
 17. Ram Pramod Yadav Son of Ram Chandra Yadav
 18. Sikandar Yadav Son of Nirdhan Yadav
 19. Chandra Kishore Yadav Son of Mahindra Yadav
 20. Jogendra Yadav Son of Bilat Yadav
 21. Kishan Yadav Son Ram Chandra Yadav
 22. Gurucharan Sharma Son of Nageshwar Sharma
 23. Guddu Kumar Sharma @ Guddu Sharma Son of Guru Charan Sharma
 24. Sujit Sharma Son of Raj Kumar Sharma
 25. Asharfi Sharma Son of Mithu Sharma
 26. Jitendra Sah Son of Dularchand Sah
- All Residents of Village-Madhopur, P.S.-Bisfi, District-Madhibani.

.... Petitioners

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha

For the Opposite Party/s : Mr. U.S.P Singh (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 22-04-2015 Heard learned counsel for the petitioners and learned

counsel representing the State.

It has been submitted that during pendency of this

application petitioner no. 7 has been arrested, and as such, prayer on his behalf for pre-arrest bail has become infructuous and prayer has been made for withdrawal of application for pre-arrest bail on his behalf.

Prayer is allowed. Accordingly, application of pre-arrest bail on behalf of above named petitioner no. 7 is dismissed as withdrawn.

Petitioners above named apprehend their arrest in connection with Bisfi P.S. Case No. 60 of 2013 registered for the offences punishable under Sections 147, 148, 149, 323, 353, 307, 225, 341, 427, 477, 332 and 333 of the Indian Penal Code.

Allegedly, the informant and other Police officials along with two Chowkidars arrested the accused Shankar Sahani and he was being brought on a Police Jeep and as soon as they reached at Madhopur Chowk, in the leadership of petitioner Sunita Devi @ Gangia, a mob of 50-60 persons obstructed the road and surrounded the Police Jeep and attacked on the Police by lathi and bricks and in spite of persuasion made by informant and others they got freed the arrested accused forcefully from the Police Jeep and damaged the Police Jeep, wireless connection and torn the papers. The petitioners have been identified by the Chowkidars.

Submission is of false implication and that they

have never assaulted the Police party nor damaged the Police property and some of the petitioners are of different villages. One of the co-accused Biltu Sahani has been released on regular bail and as such the petitioners deserve sympathetic consideration to which the learned APP opposes.

Considering that the petitioners have been identified by the Chowkidars and they have forcefully got freed the arrested accused from Police custody after damaging the Police Jeep and wireless connection, this Court is not persuaded to grant the privilege of pre-arrest bail to the petitioners, accordingly, their such prayer stands rejected.

(Jitendra Mohan Sharma, J)

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