

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13130 of 2015

Arising Out of PS.Case No. -30 Year- 2014 Thana -PATEPUR District- VAISHALI(HAJIPUR)

Budhan Rai Son of Kaleshwar Rai @ Kallar Rai Resident of Village-
Murtuzapur Dumari, P.S.- Patepur, District- Vaishali.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

With

Criminal Miscellaneous No.17383 of 2015

Arising Out of PS.Case No. -30 Year- 2014 Thana -PATEPUR District- VAISHALI(HAJIPUR)

Sujit Kumar @ Madhav Rai @ Sujit Rai S/o Late Kameshwar Rai Resident of
Village Murtazapur Dumri, P.S. Patepur, District Vaishali (Bihar).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

With

Criminal Miscellaneous No.17528 of 2015

Arising Out of PS.Case No. -30 Year- 2014 Thana -PATEPUR District- VAISHALI(HAJIPUR)

Rohit Sahani Son of Musafir Sahni Resident of Village - Kajipur Thathan,
P.S. - Hajipur Sadar, District - Vaishali (Bihar).

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.13130 of 2015)

For the Petitioner/s : Mr. Manish Chandra Gandhi

For the Opposite Party/s : Mr. Md.Sufiyan(App)

(In Cr.Misc. No.17383 of 2015)

For the Petitioner/s : Mr. Vasant Vikas

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

(In Cr.Misc. No.17528 of 2015)

For the Petitioner/s : Mr. Vasant Vikas

For the Opposite Party/s : Mr. Prem Kumar Jha(App)

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER**

03/ 08-05-2015

Learned counsel for petitioner Rohit Sahni is permitted to make necessary correction in the petition.

Heard learned counsels for the petitioners and the State.

The petitioners are languishing in custody since 05.01.2015, 05.12.2014 and 27.11.2014 respectively in a case registered for the offences punishable under Sections 147, 148, 149, 341, 342, 435, 506, 387, 379 of the Indian Penal Code and 17 of Criminal Law Amendment Act.

It is alleged by the Clerk of a construction company that 25-30 extremists came variously armed and snatched the mobiles of the staff and JCB driver, they asked to stop construction work and demanded 5% of the construction amount as extortion. They put the JCB machine and the tractor on fire. The name of the petitioners Budhan Paswan and Sujit Kumar sprang up on the confession of petitioner Rohit Sahni.

It is submitted by learned counsel for the petitioner that neither the petitioners have been put on TIP nor any recovery has been made from them. Statement to that effect has been made in para 7 of Cr. Misc. No. 13130 of 2015, para 12 & 13

of Cr. Misc. No. 17383 of 2015 and para 10 of Cr. Misc. No. 17528 of 2015.

Considering the fact that the investigation has already concluded, there is no recovery from the petitioners nor they have been put on TIP, let the above named petitioners, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Patepur P.S. Case No. 30 of 2014.

Considering the criminal antecedent of petitioners Budhan Rai and Rohit Sahni, the learned court below will be at liberty to cancel the bail bonds of both the petitioners, if they substantially get involved in some serious nature of offence or default for two consecutive occasions.

(Dinesh Kumar Singh, J)

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