

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26246 of 2015

Arising Out of PS.Case No. -20 Year- 2015 Thana -SARAIYA District- MUZAFFARPUR

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1. Yadu Nandan Sahani Son of Late Bijay Sahani Resident of Village Garahua, P.S. Kurhani, District Muzaffarpur
 2. Ratan Sahani Son of Fauzi Sahani Resident of Village Bahilwara, P.S. Saraiya, District Muzaffarpur.
 3. Kailash Sahani Son of Maharaj Sahani Resident of Village Koriyakhas, P.S. Paroo, District Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nachiketa Jha

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 27-07-2015 Heard the learned counsel for the petitioners as well as the learned for the State.

The petitioners are languishing in custody since 20.01.2015 in a case registered for the offences punishable under sections 147, 148, 149, 323, 325, 326, 307, 436, 380, 427, 302, 153A, 295A and 363 of the I.P.C.

The prosecution case is that A.S.I. Ashutosh Kumar, S.H.O. Saraiya P.S. received an information that protest is being made by the FIR named accused including the petitioner along with 1000 unknown since one dead body was found on the land of Lal Babu Singh. Earlier Saraiya P.S. Case No. 9 of 2015 was

lodged by Kamal Sahani whose son Bhartendu Kumar @ Barka was kidnapped.

It is submitted by learned counsel for the petitioners that the accusation is against the mob and the protest was made due to inaction of the police and the police in order to save its own skin has lodged the present case. It has further been submitted that the petitioners have got no criminal antecedents and the investigation has already concluded.

Considering the accusation against the mob, the above named petitioners are directed to 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 XIth Additional Judge, Muzaffarpur in Sessions Trial No. 232 of 2015 arising out of Saraiya P.S. Case No. 20 of 2015.

(Dinesh Kumar Singh, J)

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