

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17757 of 2015

Arising Out of PS.Case No. -169 Year- 2015 Thana -SAHARSA District- SAHARSA

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1. Muktideo Singh, S/o late Ramdeo Singh, Resident of Mohalla - Shanti Nagar, Ward No.33, Tiwari Tola, P.S. Saharsa, District Saharsa.
 2. Ajit Singh, S/o Late Pramod Singh, Resident of Village - Patla ,P.S. Maheshkhut, District Khagaria.

.... Petitioners.

Versus

The State of Bihar

.... Opposite Party.

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Appearance :

For the Petitioners : Mr. Pawan Kumar, Advocate.

For the State : Mr. Nagendra Prasad (APP).

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 04-06-2015 Heard learned counsel for the petitioners and the learned

A.P.P. for the State.

The petitioners apprehend their arrest in connection with Saharsa (Sadar) P.S. Case No.169 of 2015 registered under Sections 144, 341, 342, 323, 504, 186, 332, 353, 327, 285 and 283 of the Indian Penal Code besides Sections 3/4 of the Prevention of Damage of Public Property Act.

The allegation is that while the informant, Sanjay Kumar Singh, Station House Officer, Police Station-Sadar, District-Saharsa, alongwith other police officials on 11.03.2015 was to move for investigation of Saharsa Sadar Police Station Case



No.167 of 2015 instituted for the kidnapping of Muktipriya, the daughter of the petitioner no.1, and also to arrest the accused persons and to recover her, in that course, he received information that the FIR named accused persons alongwith 80-90 unknown persons have blocked the road by keeping the burning tyre and when he alongwith police officials went there, he found that the accused persons including the petitioners have blocked the road and are abusing the passersby and also restrained the students, who were going to appear in the examination. On the arrival of the S.D.P.O. the blocked of the road was removed.

Learned counsel appearing on behalf of the petitioners submits that the petitioner no.1, has lodged Saharsa Sadar P.S. Case No.167 of 2015 for the kidnapping of his minor daughter, namely, Mukti Priya, on 10.03.2015 and when the police showed reluctant attitude in arresting the accused involved in the said case, then the petitioners and others made peaceful protest against the police administration but they did not make any obstruction in the discharge of the police official duty. The petitioners have falsely been implicated in this case.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within four weeks, be enlarged on bail on

their furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Saharsa, in connection with Saharsa Sadar P.S. Case No.169 of 2015, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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