

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28358 of 2015

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

- =====
1. Arjun Awasthi Son of Madan Mohan Awasthi resident of Village - Tiwari Tola Ward No. 33, P.S. - Saharsa, District - Saharsa.
 2. Ganesh Tiwari Son of Laxman Tiwari Resident of Village - Tiwari Tola, Ward No. 33, P.S. - Saharsa, District - Saharsa.
 3. Niki Choubey @ Nikki Choubey Son of Late Mohan Choubey resident of Village - Tiwari Tola Ward No. 33, P.S. - Saharsa, District - Saharsa.
 4. Sanjeev Tiwari Son of Bhola Tiwari resident of Village - Tiwari Tola Ward No. 33, P.S. - Saharsa, District - Saharsa.
 5. Ashok Singh @ Ashok Kumar Singh Son of Late Lal Bahadur Singh resident of Village - Tiwari Tola Ward No. 33, P.S. - Saharsa, District - Saharsa.
 6. Satish Ranjan @ Ratish Ranjan Son of Late Jitendra Verma resident of Village - Tiwari Tola Ward No. 33, P.S. - Saharsa, District - Saharsa.
 7. Brajesh Kumar @ Brajesh Kumar Jha @ Brajesh Kumar Mishra Son of Pran Mohan Jha resident of Village - Tiwari Tola Ward No. 33, P.S. - Saharsa, District - Saharsa.
 8. Avinash Anand @ Avinash Kumar @ Avinash Kumar Son of Hemant Kumar Himanshu resident of Village - Tiwari Tola Ward No. 33, P.S. - Saharsa, District - Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Pawan Kumar

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

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 23-07-2015

Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Section 144, 341, 342, 323, 504, 186, 332, 353, 327, 285, 283 of the Indian Penal Code and Section 34 of Prevention of Damage of Public Property

Act.

It is alleged by the informant, Sanjay Kumar Singh, SHO, PS Sadar district Saharsa that on 11.03.2015 the informant along with other police officials went to investigate Saharsa Sadar PS case No. 167/15 lodged for kidnapping of Mukti Priya, daughter of Muktideo Singh. In the meantime, the informant received information that FIR named accused persons along with 80-90 unknown have blocked the road and when the informant along with police officials went to the place of blockade they found that the accused persons including the petitioners have blocked the road by putting burning tire on the road and thereby not only obstructed the traffic but also obstructed the police officials in discharging their duties.

It is submitted by the learned counsel for the petitioners that due to inaction of the police in apprehending the accused, who kidnapped the victim, the protest was made by the mob and the police in order to save their skin lodged the present case whereas the other accused persons namely, Muktideo Singh and Ajit Singh have already been granted bail by a co-ordinate bench of this court vide Cr. Misc. No. 17757 of 2015.

Considering the aforesaid facts, let the above named petitioners be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve

weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Saharsa in connection with Saharsa Sadar P.S. Case No. 169/2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

BKS/-

U		T	
---	--	---	--