

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14182 of 2015

Arising Out of PS.Case No. -1 Year- 2015 Thana -SITAMARHI District- SITAMARHI

Pannalal Khirhar, son of Amirilal Ray (Khirhar), resident of Village-
Amghatta, P.S.-Dumar, District-Sitamarhi

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.16108 of 2015

Arising Out of PS.Case No. -1 Year- 2015 Thana -SITAMARHI District- SITAMARHI

Jata Shankar Yadav, son of Late Janakdeo Rai, resident of village -
Batarauli, P.S. - Runnisaidpur, District - Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.17630 of 2015

Arising Out of PS.Case No. -1 Year- 2015 Thana -SITAMARHI District- SITAMARHI

Shyam Kumar, S/o Anandi Mahto, resident of village - Minapur, Balha,
P.S. Pipradhi, District - Sitamarhi

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.20747 of 2015

Arising Out of PS.Case No. -1 Year- 2015 Thana -SITAMARHI District- SITAMARHI

Sonu Chauhan, son of Budheshwar Chauhan, Resident of Mohalla-
Vishwakarma Nagar, P.S. Sitamarhi, District- Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.14182 of 2015)

For the Petitioner/s : Mr. Sanjay Kumar, Advocate

For the Opposite Party/s : Mr. A.K.Choudhary(App)

(In Cr.Misc. No.16108 of 2015)

For the Petitioner/s : Mr. Anil Kumar, Advocate

For the Opposite Party/s : Mr. Abhay Kr. Roy(App)

(In Cr.Misc. No.17630 of 2015)

For the Petitioner/s : Mr. Satish Chandra, Advocate

For the Opposite Party/s : Mr. C.Sen Pd.Singh(App)

(In Cr.Misc. No.20747 of 2015)

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Rajendra Singh Shastri Ji (App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 28-05-2015 Heard learned counsel for the petitioners and the learned
counsel for the State.

The petitioner in Cr. Misc. No.14182 of 2015 is in custody since 3.1.2015, petitioner in Cr.Misc. No.16108 of 2015 is in custody since 4.1.2015, petitioner in Cr. Misc. No.17630 of 2015 is in custody since 8.1.2015 and petitioner in Cr.Misc. No.20747 of 2015 is in custody since 12.1.2015 in connection with Sitamarhi P.S. Case No.1 of 2015 registered for the offences under Sections 302, 120B, 212 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioner appearing for the petitioner Pannalal Khirhar submits that though the petitioner is not named in the F.I.R., yet he was taken into custody on mere suspicion only because he is said to have had criminal antecedents

and that there is no material in the case diary, save and except his criminal antecedents, to connect him with the present case.

So far as petitioner Jata Shankar Yadav is concerned, learned counsel for the petitioner submits that the only allegation made out against him is that though he is not named in the F.I.R, yet this petitioner, who is uncle of one Saroj Rai, who is a hardened criminal of the area, did not co-operate for facilitating in surrender of said Saroj Rai and, therefore, the police have described him as conspirator and taken him into custody.

So far as the petitioner Shyam Kumar is concerned, learned counsel for the petitioner submits that though he is not named in the F.I.R., the allegation is that said Saroj Rai, who was also wanted in connection with the present case, made a telephonic call to the office of the daily newspaper Dainik Jagaran that this petitioner was also part of the conspiracy leading to the occurrence.

Petitioner Sonu Chauhan has also been implicated in this case, as per the learned counsel for the petitioner, on account of the fact that he runs a meat shop and it is alleged in the case diary that he had, in fact, been giving shelter to such miscreants and conspiracy was emanating from his meat shop.

Learned counsel for the petitioners submit that such

vague and bald allegations lead to the conclusion that these petitioners had, in fact, not participated in the occurrence and were not part of the conspiracy leading to the murder of the medicine shop owner.

Considering the aforementioned submissions and the vagueness of the allegations and that there is no further material in the case diary so as to connect these petitioners with the occurrence of the present case, let the above named four petitioners be released on bail on their furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi, in connection with Sitamarhi P.S. Case No.1 of 2015.

(Anjana Mishra, J)

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