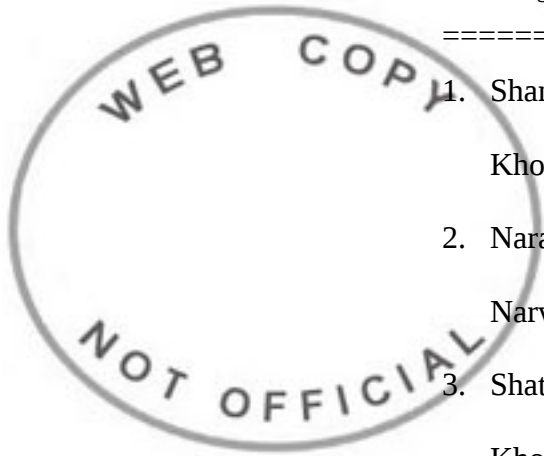


IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41149 of 2014

Arising Out of PS.Case No. -143 Year- 2013 Thana -BAIKUNTHPUR District- GOPALGANJ



- =====
1. Shambhu Singh, son of Late Dudh Nath Singh, Resident of village - Khomaripur, P.S. Baikunthpur, District - Gopalganj
 2. Narad Mahato, son of Late Chandrama Mahto, resident of Village - Narwar, P.S. Baikunthpur, District - Gopalganj
 3. Shatrudhan Singh, son of Late Hazari Singh, Resident of village - Khomaripur, P.S. Baikunthpur, District - Gopalganj
 4. Mohan Sahani, son of Late Sitaram Singh, resident of Village - Narwar, P.S. Baikunthpur, District - Gopalganj
 5. Sahdeo Sahani, son of Mohan Sahani, resident of Village - Narwar, P.S. Baikunthpur, District - Gopalganj

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s :

For the Opposite Party/s :

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL ORDER

2 04-03-2015 Heard learned counsel for the petitioners and learned A.P.P. for the State.

The petitioners apprehend arrest in connection with Baikunthpur P.S. Case No. 143 of 2013 dated 29.07.2013 instituted under Sections 147/304 of the Indian Penal Code.

Learned counsel for the petitioners submits that



they were not named in the F.I.R. and as per the prosecution one person who is said to have come to commit theft was caught near the house of Bikrama Sahani and Baharan Sahani and beaten up by the family members of the said two persons and 100 - 150 villagers. It is submitted that the informant who is Chaukidar found the dead body lying under the mango tree near the house of Bikrama Sahani and only on suspicion the petitioners and the others have been made accused even though they are not the family members of either Bikrama Sahani or Baharan Sahani and three petitioners are residents of other village and further they have no criminal antecedent. Learned counsel submits that 34 similarly situated co-accused have been granted anticipatory bail on 20.03.2014 in Criminal Miscellaneous No.2522 of 2014 and Baharan Sahani has also been granted anticipatory bail on 22.04.2014 in Criminal Miscellaneous No.6406 of 2014.

Learned A.P.P. opposes the prayer for anticipatory bail.

Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the court below within four weeks from today, the petitioners be released on bail upon

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, Gopalganj in Baikunthpur P.S. Case No. 143 of 2013, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Ahsanuddin Amanullah, J)

Ashwini/-

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