

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48021 of 2015

Arising Out of PS.Case No. -155 Year- 2015 Thana -MANSI District- KHAGARIA

=====

1. Sudhir Sah, Son of Late Shivjee Sah
2. Rabin Sah @ Rabindra Sah Son of Late Doman Sah
3. Upendra Yadav (Handicapped), Son of Late Ramdhan Yadav.
All are residents of village- Rajajan, P.S.- Mansi, District- Khagaria

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Praveen Kumar Agrawal, Adovocate

For the Opposite Party/s : Mr. M.Rab, A.P.P.

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 16-10-2015

Heard Sri Praveen Kumar Agrawal, learned counsel

for the petitioners and learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Mansi P.S. Case No. 155 of 2015 registered for the offences punishable under Sections 448, 379 and 427/34 of the Indian Penal Code.

The prosecution case is that there was youth club in village Rajajan since 1994 but on 18.07.2015 near about 2 A.M., a few bad elements being armed with fire arms had demolished Club Bhawan at Rajajan and looted away one dozen fiber Chairs, Carom Board and playing articles and have uprooted Zafari of Bamboo and resorted to firing. On arrival of informant and others

miscreants fired four rounds and fled away. The informant identified F.I.R. named accused persons namely Sudhir Sah, Rabin Sah and Upendra Yadav, six and seven unknown persons fled away after resorting to firing. The informant had given telephonic message to Police then police arrived and recovered Khokha of cartridge.

It has been submitted by the counsel for the petitioners that they are innocent and they have been falsely implicated. The allegation of looting articles of Youth Club Bhawan is false and baseless. It has further been submitted by the counsel for the petitioner that the petitioner no. 3 has a clean antecedent whereas petitioner nos. 1 and 2 have already been acquitted in an old case of 1983. As such, there is no criminal history of all the petitioners, which finds place at paragraph 3 of the petition.

Considering the aforesaid facts, let the petitioners, above named, in the event of their arrest or surrender within a period of six weeks from today before the Court below be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with Mansi P.S. Case No. 155 of 2015, subject to the

conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Nilu Agrawal, J)

Vats/-

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