

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32244 of 2016

Arising Out of PS.Case No. -44 Year- 2016 Thana -KANHAULI District- SITAMARHI

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1. Mukesh Sah @ Mukesh Kumar Sah, son of Ramnandan Sah
 2. Saroj Mahto @ Saroj Kumar @ Saroj Mahti, S/o Bilash Mahto
 3. Pramod Mahto, son of Prasad Mahto
 4. Abhiranjan Mahto @ Abhiranjan Kumar, son of Ramnandan Mahto
 5. Usman Mansoor, son of Late Pir Mohammad Ansari
 6. Deepak Sah @ Deepak Kumar, son of Manoj Sah
 7. Chandan Sah @ Chandan Kumar, son of Ashok Sah
 8. Ashok Sah @ Ashok Kumar Sah @ Ashok Kumar, son of Late Bhikhari Sah.
 9. Kitab Mansoor, son of Late Noor Mansoori
 10. Kurban Mansoor @ Md. Kurban, son of Late Pir Mohammad
 11. Saroj Rai, Son of Shambhu Rai

All are R/O village- Parsa Khurd, P.S. - Kanahauli, District- Sitanmarhi

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate

For the Opposite Party/s : Mr. Shyameshwar Dayal, A.P.P.

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 14-09-2016 It is informed that the petitioner no.1 has already surrendered and has been granted regular bail by the court below, therefore, this application has become infructuous so far as the petitioner no.1 is concerned.

Accordingly, this application is dismissed as infructuous so far as petitioner no.1 is concerned.

Heard learned counsel for the petitioner nos. 2 to 11 and the State.

The petitioner nos. 2 to 11 apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 323, 324, 307, 504, 332, 353, 333, 427 of the Indian Penal Code.

It is contended that on the same day for the same occurrence, five F.I.Rs. were lodged. In one of such case, all the petitioners have been granted anticipatory bail by a Coordinate Bench of this Court vide order dated 26.08.2016 passed in Cr. Misc. No.32129 of 2016. It is urged that allegations are general and omnibus in nature against 11 named persons and 150-200 unknown persons. It is further urged that the petitioners are having clean antecedents save and except Kanahauli P.S. Case No.45 of 2016.

Having regard to the facts and circumstances of the case, let the petitioner nos. 2 to 11, above-named, be released on bail in the event of their arrest/surrender before the court below within a period of six weeks from today in connection with Kanahauli P.S. Case No.44 of 2016, on furnishing bail bonds of Rs.10,000 (Ten Thousand Rupees) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Sitamarhi subject to the conditions as laid down under sub-section (2) of Section 438 of the Code of Criminal Procedure.

However, at the time of accepting bail bond, the court below would verify and assure itself regarding the criminal antecedent of the petitioners. If they are having clean antecedent then their bail bonds would be accepted. If they are found to be involved in any other case before 10.05.2016 save and except Kanahauli P.S. Case No.45 of 2016 then they would be taken into custody.

(Dr. Ravi Ranjan, J)

V.K. Pandey/-

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