

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.26267 of 2016

Arising Out of PS.Case No. -51 Year- 2016 Thana -BASANTPUR District- SIWAN

1. Rajeshwar Prasad
2. Prakash Sah
- Both sons of Shri Ganesh Prasad, residents of Village - Madarpur, P.S. Basantpur, District-Siwan.
3. Sitaram Mahto, Son of Late Ram Sevak Mahto, resident of Village- Lakhnaura, P.S. Basantpur, District-Siwan.
4. Puran Sah @ Purn Sah @ Puran Shankar Prasad, Son of Shri Lakshman Sah, resident of Village- Madarpur, P.S. Basantpur, District-Siwan
5. Shailesh Prasad Sah @ Shailesh Prasad, Son of Shri Ram lal Sah resident of Village- Narharpur, P.S. Basantpur, District-Siwan
6. Arun Kumar Sah, Son of Shri Lakshman Sah, Resident of Village- Narharpur, P.S. Basantpur, District- Siwan
7. Mahesh Sah, Son of Late Chandrika Sah, resident of Village- Madarpur, P.S. Basantpur, District-Siwan
8. Ranjeet Sah @ Sanjit Sah @ Ranjeet kr., Son of Shri Dara Sah, resident of Village- Madarpur , P.S. Basantpur, District-Siwan
9. Arun Kumar, Son of Shri Birendra Mahto, resident of Village- Madarpur, P.S. Basantpur, District-Siwan

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioners : Mr. Braj Kishore Singh Chouhan, Advocate
For the State : Mr. Sri Shyameshwar Dayal, A.P.P.

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 04-07-2016

Heard learned counsel for the petitioners and the State.

Petitioners apprehend their arrest in a case filed under Sections 147, 148, 149, 323, 332, 353, 504 and 506 of the Indian Penal Code.

As per the allegation, several persons of two communities were bent upon to clash with each other and they were fully armed with lathi, danda, bricks etc. Altogether 47 persons have been named in the F.I.R. which includes the petitioners also. The informant, who happens to be a Chowkidar, has alleged that all of them have assaulted him by fits and slaps and also abused. It is further contended that allegation against the petitioners is general and omnibus. It is urged on behalf of the petitioners that in fact such untoward incident had never taken place.

Having regards to the facts and circumstances of the case, in the event of arrest/surrender within a period of six weeks from today in Basantpur P.S. case no.51 of 2016, the above named petitioners, Rajeshwar Prasad, Prakash Sah, Sitaram Mahto, Puran Sah @ Purn Sah @ Puran Shankar Prasad, Shailesh Prasad Sah @ Shailesh Prasad, Arun Kumar Sah, Mahesh Sah, Ranjeet Sah @ Sanjit Sah @ Ranjeet kr. and Arun

Kumar shall be released on bail on furnishing bail bond of Rs.10,000(Ten Thousand Rupees) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Siwan subject to the conditions as laid down under sub-section(2) of Section 438 of the Code of Criminal Procedure.

(Dr. Ravi Ranjan, J)

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