

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46701 of 2015

Arising Out of PS.Case No. -595 Year- 2015 Thana -SASARAM MUFFSIL District- SASARAM (ROHTAS)

Mukhlal Chaudhary, son of Ramphal Chaudhary, resident of Village-Badhaiyabag, P.S.- Sasaram (M), District Rohtas.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.50044 of 2015

Arising Out of PS.Case No. -595 Year- 2015 Thana -SASARAM MUFFSIL District- SASARAM (ROHTAS)

Santosh Khatik Son of Shyam Lal Khatik, Resident of Village - Jamuhar, P.S. - Dehari, District - Rohtas.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.46701 of 2015)

For the Petitioner/s : Mr. Ramchandra Singh

For the Opposite Party/s : Mr. Durgesh Nandan(App)

(In Cr.Misc. No.50044 of 2015)

For the Petitioner/s : Mr. Prabhakar Jha

For the Opposite Party/s : Mr. Abhay Kumar No. 1 (App)

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 08-01-2016 Heard learned counsel for the petitioners and learned counsel for the State.

Petitioners in Cr. Misc. No. 46701 of 2015, namely, Mukhlal Chaudhary and Cr. Misc. No. 50044 of 2015, namely, Santosh Khatik are apprehending their arrest in connection with Sasaram (M) P.S. Case No. 595 of 2015 registered for the offences punishable under Sections 147, 148, 149, 323, 324, 326, 337, 338,

353, 307, 427, 379, 120(B) of the Indian Penal Code and Section 27 of the Arms Act, 4/40 of the Bihar Mining Act and Section 33, 41 and 42 of the Indian Forest Act.

Earlier case diary of the present case was called for, which has since been received.

Learned counsel for the petitioners submits that general and omnibus allegation have been levelled against 52 named accused persons, including the petitioners, along with 25-30 unknown persons. It is further submitted that similarly situated co-accused person, namely, Manoj Kumar Singh has already been extended the privilege of anticipatory bail vide order dated 01.12.2015 passed in Cr. Misc. No. 35540 of 2015. Similarly, situated four other accused persons, namely, Hira Sah, Sanjeev Kumar, Kanhaiya Singh and Santosh Singh, having no criminal antecedent, have also been extended the privilege of anticipatory bail vide order dated 21.09.2015 passed in Cr. Misc. No. 37775 of 2015, including one Ramesh Choudhary passed in Cr. Misc. No. 37865 of 2015 vide order dated 21.09.2015. It is further submitted that the petitioners have also no criminal antecedent like other accused persons.

Considering the aforesaid facts and circumstances of the case, let the petitioners above named, in the event of their

arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Sasaram, Rohtas in connection with Sasaram (M) P.S. Case No. 595 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjana Mishra, J)

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