

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.54163 of 2016

Arising Out of PS.Case No. -68 Year- 2016 Thana -BALIGAON District- VAISHALI(HAJIPUR)

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1. Birendra Kumar Son of Mahendra Mahto.
2. Harendra @ Harindra Sah Son of Late Muni Lal Sah.
3. Amarjeet Kumar Son of Late Ram Akbal Mahto. Petitioner No. 1 to 3 are Resident of Village- Gannipur Bhanpur, P.S. Baligaon, District- Vaishali.
4. Dasrath Sah Son of Ramashish Sah.
5. Nandan Sah Son of Shyam Nandan Sah. Petitioner No.4 and 5 are Resident of Village- Agrail, P.S. Baligaon, District- Vaishali.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Binay Krishna, Advocate.

For the Opposite Party : Mr. Gopesh Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 21-12-2016 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners are apprehending their arrest in connection with Baligaon P.S. Case No. 68 of 2016 for the offences instituted under Sections 323, 504 and 353 of the IPC.

The prosecution story, in brief, is that while the informant and others proceeded with the accused in Baligaon P.S. Case No. 65/2016, namely, Rajendra Mahto for production before the court of C.J.M. Hajipur and was waiting for bus near the Panchayat Bhawan, the FIR named accused persons alongwith 20 unknown came there and abusing and started snatching Rajendra Mahto from their custody and when they protested to it they



assaulted the informant and others with slaps and on hulla, the police personnels reached there then they left the scene, otherwise, they would have got Rajendra Mahto freed and thereby they caused hindrance in the discharge of his official duty.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. General and omnibus allegation has been made against the petitioners. No specific overt act has been alleged against them.

On behalf of the State, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Baligaon P.S. Case No. 68/2016 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Vaishali at Hajipur, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

