

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4252 of 2017

Arising Out of PS.Case No. -192 Year- 2016 Thana -MAJHAHGARH District- GOPALGANJ

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1. Kishore Sahni, son of Master Sahni,
2. Mokhtar Sahni, son of Chandrika Sahni,
3. Motilal Sahni, son of Chandrika Sahni,
4. Ramayan Sahni, son of Chandrika Sahni,
5. Rajendra Sahni, son of Bacha Sahni, All residents of village - Maghi Nimuiya, P.S. Manjhagarh, District - Gopalganj.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bibhakar Tiwary

For the Opposite Party/s : Mr. Akshay Lal Pandit

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 09-02-2017

Heard the learned counsel for the petitioners.

The petitioners are apprehending their arrest in connection with Manjhagarh P.S. Case No. 192 of 2016, registered for the offences under Sections 147/ 148/ 149/ 307/ 379/ 436/ 34 of the Indian Penal Code.

It has been submitted on behalf of the petitioners that after seven months of the occurrence, the present case has been filed. It has also been submitted that the petitioners had lodged a case against the informant vide Annexure-2 and there is no specific allegation of assault against the petitioners, rather it is alleged that all the accused persons set the hut of the petitioners at fire and further it appears that the allegation of setting fire at the house has not been found by the police in course of investigation.

Heard the learned APP also.

Having heard both sides and considering the aforesaid



facts, I am not inclined to grant anticipatory bail to the petitioners.

Let the petitioners, named above, surrender in the court below i.e. Chief Judicial Magistrate, Gopalganj in connection with Manjhagarh P.S. Case No. 192 of 2016 and pray for regular bail and the court below shall consider this aspect of the matter that the police has not found the case under section 436 I.P.C. and the petition for bail, if filed, shall be disposed of, if possible, on the same day.

With the aforesaid observations and directions, this petition is disposed of.

(Vinod Kumar Sinha, J)

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