

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.833 of 2017

Arising Out of PS.Case No. -270 Year- 2016 Thana -AHIAPUR District- MUZAFFARPUR

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1. Sanjana Bharti D/o Nagendra Sah
 2. Dinesh Sah S/o Ram Sevak Sah
 3. Sunny Kumar S/o Nagendra Sah
 4. Kundan Kumar S/o Nagendra Sah
 5. Rani Devi D/o Nagendra Sah All Resident of Mohalla- Sankarbagh Lane, Pankaj Market, P.S. Town, District Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Girish Singh

For the Opposite Party/s : Mr. Sri Anand Kishore Choudhary

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 16-01-2017 Heard the learned counsel for the petitioners as well as the learned A.P.P. for the State.

In this application for anticipatory bail the petitioners apprehend their arrest in connection with Ahiyapur P.S. Case No. 270 of 2016 for the offences punishable under sections 143, 144, 145, 186, 332, 333, 307, 353, 426 and 506 of the I.P.C.

Allegedly, being annoyed with the shooting of Suraj Kumar in the court premises the petitioners and others 20-25 unknown persons after forming an unlawful assembly attacked on the police party causing injury to some of the police personnel and obstructed in discharging their official duty.



Submission is of false implication and that Suraj Kumar who was under trial prisoner was shot dead in the court premises and he was the brother of petitioner Sanjana Bharti and in this case all the family members of Suraj Kumar have been implicated without any fault, there is no specific allegation against the petitioners, all the allegations are omnibus and general in nature and as such the petitioners deserve sympathetic consideration, to which the learned A.P.P. opposes by submitting that the petitioners are named in the FIR.

In the facts and circumstances as stated above, considering that there is no specific allegation against the petitioners, they are only members of the mob and as such the petitioners, in case of their arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of. C.J.M. Muzaffarpur in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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