

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47493 of 2016

Arising Out of PS.Case No. -53 Year- 2016 Thana -ASHOK PAPER MILL District- DARBHANGA
=====

1. Sanjeev Rai @ Muskan @ Muskan Rai S/O Late Siyaram Rai, resident of Village- Pator, P.S. Ashok Paper Mill, District- Darbhanga.
2. Saurav Kumar Mishra @ Bholu Mishra @ Golu @ Golu Mishra S/O Satish Mishra, resident of Village- Pator Tole Laxmipur, P.S. Ashok Paper Mill, District- Darbhanga.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s
=====

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Sri Ram Priya Saran Singh
=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 09-01-2017 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 A.P.M. P.S. Case No. 53 of 2016 for the offences punishable under sections 457, 380, 411 and 414/34 of the I.P.C.

Allegedly, Gauri Shankar Mishra, co-accused, was apprehended stealing battery of mobile tower and he stated the names of the petitioners as his associates and further they succeeded in fleeing away with two batteries.

Submission is of false implication and that the petitioners have no connection with the arrested co-accused Gauri Shankar Mishra, Rajendra Mishra the uncle of accused Gauri Shankar Mishra contested the election of Sarpanch of Gram



Panchayat Raj Pator in the year 2016 against Ratnesh Rai, the uncle of petitioner Sanjiv Rai and Rajendra Mishra was defeated and Ratnesh Rai was elected as Sarpanch and the petitioner Saurav Kumar Mishra was the supporter of Ratnesh Rai, resulting Gauri Shankar Mishra has falsely implicated these petitioners, the petitioners have got no criminal antecedents and besides the confessional statement of co-accused there is nothing against the petitioners, nothing has been recovered from their possession and as such they deserve sympathetic consideration.

The learned A.P.P. opposes prayer for pre-arrest bail.

In the facts and circumstances as stated above, 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. Darbhanga 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)

Abhay/-

U		T	
---	--	---	--

