

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54306 of 2016

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

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1. Sonelal Sah, Son of Ram Pratap Sah,
 2. Ann Kumar Sah @ Arun Kumar Sah, Son of Fudeni Sah @ Fudena Sah,
 3. Mukesh Kumar Sah, Son of Fudeni Sah @ Fudena Sah,
 4. Sanjay Sah, Son of Ram Pratap Sah,
 5. Manoj Kumar Sah, Son of Sone Lal Sah,
 6. Kapildeo Kumar, Son of Siya Lal Sah, All resident of village - Kasturi Sarai, P.S. Patepur, District – Vaishali.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Krishna Chandra
For the Opposite Party/s : Mr. Chaubey Jawahar

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

4 02-02-2017 Heard leaned counsel for the petitioners and the leaned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Patepur P.S. Case No. 68 of 2016, registered under Sections 147, 148, 149, 353, 379 and 511 of the Indian Penal Code, pending in the court of Sub-Judge-XI-cum-Addl. Chief Judicial Magistrate-X, Vaishali at Hajipur.

The accusation is that on receiving secret information about gathering of Chaturbhuj Sah and Shiv Chandra Sah, both accused in Patepur P.S. Case No. 54 of 2016, near Dadhua PACS Godown, the Police reached there. On seeing the Police personnel said Chaturbhuj Sah and Shiv Chandra Sah tried to flee away, but both were apprehended by the Police. Thereafter, they



started to move for Police Station then in the way, nine persons including the petitioners made obstruction in discharging the official duty of the informant and got set free both the apprehended accused, namely, Chaturbhuj Sah and Shiv Chandra Sah. At that time they also made attempt to snatch the rifle of the Police personnel.

Learned counsel for the petitioners submits that, in fact, Patepur P.S. Case No. 54 of 2016 was instituted by the Paras Nath Choudhary, son of Ex-Mukhiya due to loosing of the Panchayat Election against petitioner and others and at the instance of the Ex-Mukhiya the present case has also been lodged by the Police.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioners, I am not inclined to grant anticipatory bail to the petitioners. Accordingly, his prayer for grant of anticipatory bail stands rejected. The petitioners are directed to surrender before the trial Court within four weeks and pray for regular bail, which would be considered by the trial Court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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