

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.54427 of 2017

Arising Out of PS.Case No. -62 Year- 2017 Thana -PIPRAHI District- SHEOHAR

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1. Mukesh Sah, Son of Late Jagnarayan sah,
2. Dinesh Sah Son of Late Jagnarayan Sah, Both R/o Village- Dostiya, P.S.-
Purnahiya, District- Sheohar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 14-11-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Piprahi P.S. Case
No. 62 of 2017 instituted for the offence under Sections
147,148,149,341,323,324,307,353,427 of the IPC.

As per the written report, it appears that on receiving
information about death of a lady, who was hit by a truck near
Sheikh Masjid at village Bashiya, the informant being the Sub-
Inspector reached there and found that villagers under the
leadership of Tej Narayan Sharma are taking away the dead body
of lady. Thereafter, mob put the dead body on Dostiyan Chowk
and started raising slogans against the Administration. They also
burnt tyre on the road. Thereafter, 17 persons named in the FIR
including the petitioners and hundred unknown persons started to
cause assault to the police personal and damaged the Government
vehicles.

It has been submitted on behalf of the petitioner that



there is general and omnibus allegation against the petitioners and for similar allegation other accused persons have been granted anticipatory bail by a coordinate Bench of this Court vide order dated 06.10.2017 in Cr. Misc. Case No. 47341 of 2017.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners, named above, in the event of their arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount in connection with Piprahi P.S. Case No. 62 of 2017 to the satisfaction of learned Judicial Magistrate 1st Class, Sheohar subject to condition as laid down u/S 438 (2) of the Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bonds of the petitioners and (3) if the petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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