

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3708 of 2017

Arising Out of PS.Case No. -246 Year- 2016 Thana -HAJIPUR SADAR District-
VAISHALI(HAJIPUR)

- =====
1. Sudhir Kumar @ Gorakh Rai, son of Sovit Rai,
 2. Sanjeev Kumar@ Sanjeev Paswna @ Tutul Paswan Son of late Chandrika Paswan
 3. Arjun Paswan Son of Bihari Paswan All are resident of Village- Bhojpatti , Police Station - Sarai, District Vaishali.
 4. Gandhi Sahni Son of Lalla Sahni resident of Village- Telgahra, Police Station- Sarai, Distt. Vaishali.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar

For the Opposite Party/s : Mr. Smt. Meena Singh

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 07-03-2017 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 Hajipur Sadar P.S. Case No. 246 of 2016 for the offences punishable under sections 379, 511 and 427 of the I.P.C.

Allegedly, three persons sitting in the tempo went on the back seat to sit where the informant has kept his bag and they were tampering with the bag and were cutting the bag resulting the informant cried and in the meantime police jeep came and after



seeing the police jeep the persons started fleeing away but three persons were arrested and three persons were succeeded in fleeing away and they disclosed the names of the petitioners.

Submission is of false implication and that petitioner no. 1 was earlier tempo owner and Saroj Paswan who was apprehended was the driver and there was some dispute resulting he left the job and due to that enmity Saroj Paswan has stated the names of the petitioners. It is alleged that only three persons were succeeded in fleeing away but they have stated the names of seven persons which itself falsifies the statement, besides the statement of the co-accused there is no other material in the case diary and as such the petitioners deserve sympathetic consideration.

The learned A.P.P. opposes prayer for pre-arrest bail of the petitioners by submitting that the arrested persons have disclosed the names of the petitioners and petitioner nos. 2 and 3 have got criminal antecedents.

In the facts and circumstances as stated above, considering that during investigation nothing has come against the petitioners and their names were taken by the co-accused who were apprehended at the spot 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. Vaishali at Hajipur 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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