

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21597 of 2017

Arising Out of PS.Case No. -427 Year- 2016 Thana -SASARAM MUFFSIL District- SASARAM
(ROHTAS)

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1. Manoj Singh, son of Jay Nandan Singh,
2. Santosh Singh alias Guddu Singh, son of Ram Pravesh Singh,
3. Sonu Kumar alias Sonu Singh, son of Krishna Singh, All are resident of Village- Kanchanpur, P.S.- Sasaram (M), District- Rohtas.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Kant Singh

For the Opposite Party/s : Sri Tarun Prasad Mandal

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 11-07-2017 Heard the learned counsel for the petitioners, the
learned A.P.P. for the State.

In this application for anticipatory bail the petitioners apprehend their arrest in connection with Sasaram (M) P.S. Case No. 427 of 2016 for the offences punishable under sections 147, 148, 149, 341, 323, 333, 337, 338, 353, 307, 414, 504 of the Indian Penal Code and section 47 (A) of the Excise Act.

Allegedly during raid at the house of Kanhaiya Singh, Munna Kumar and his associates started firing on the Police party and after pelting stone, fled away towards hill in southern direction. After chase, Munna Kumar was caught and he stated the



name of the petitioners that they succeeded in fleeing away. After search from the house of Kanhaiya Singh, Mahindra tractor, motor cycle and about 100 litres country made liquor were recovered.

Submission is of false implication and that petitioners were not apprehended at the spot and nothing has been recovered from their possession and their names have come in the confessional statement of Munna Kumar which has got no evidentiary value in the eye of law and as such, the petitioners deserve sympathetic consideration.

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

In the facts and circumstances as stated above, considering that the name of the petitioners were taken by co-accused Munna Kumar before the Police, besides that there is no other legal materials against the petitioners, as such, the petitioners in case of arrest or surrender within four weeks from the date of receipt/production of a copy of this order, shall be released on bail on execution of bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Rohtas at Sasaram in connection with Sasaram (Muffasil) P.S. Case No. 427 of 2016, subject to the conditions as laid down in section 438 (2)



of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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