

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49010 of 2017

Arising Out of PS.Case No. -102 Year- 2017 Thana -SARAI District- VAISHALI(HAJIPUR)

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1. Deo Prasad Rai, Son of Late Jang Bahadur Rai, Resident of Village- Matiyara Tok, Jahangirpur, P.S.- Sarai, District- Vaishali at Hajipur.
 2. Kamleshwar Sahani, Son of Rudal Sahani, Resident of Village- Saidpur Patedha, P.S.- Sarai, District- Vaishali at Hajipur.
 3. Raju Rai, Son of Ramji Rai, Resident of Village- Madhopur Ram, P.S.- Sarai, District- Vaishali at Hajipur.
 4. Vishal Kumar, Son of Sunil Rai, Resident of Village- Barispur, P.S.- Bhagwanpur, District- Vaishali at Hajipur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Navjot Yesu

For the Opposite Party/s : Mr. Humayou Ahmad Khan

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 12-12-2017 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 Sarai P.S. Case No. 102 of 2017 for the offences punishable under sections 147, 148, 149, 341, 342, 323, 324, 325, 307, 379, 427, 504 and 506 of the I.P.C.

Allegedly, the petitioners and other co-accused out of whom some were identified being armed came at the Toll Plaza Booth, damaged glass, camera, computer and printer etc, committed loot of toll collection of Rs. 1,46,255/- and further Rs. 2,00,000/-. The petitioners have been identified by the informant who is the Manager of that Toll Tax Centre.



Submission is of false implication and that in the First Information Report 14 persons are named and he alleged that the F.I.R. named accused persons along with 50 unknown caused the occurrence, nothing has been recovered from the house of the petitioners, the allegations are omnibus and general in nature, the petitioners also were spirant for taking contract of the aforesaid toll collection centre and due to that they have been implicated in the present case.

The learned A.P.P. seriously opposes prayer for pre-arrest bail of the petitioners by submitting that the petitioners are named in the First Information Report and the allegations are serious in nature. During investigation the witnesses have supported the allegations.

In the facts and circumstances stated above, considering the allegation made in the FIR and further noticing that the petitioners are named in the FIR, I am not inclined to grant privilege of pre-arrest bail to the petitioners and accordingly their such prayer stands rejected in connection with the aforementioned case pending in the court of C.J.M. Vaishali at Hajipur.

(Jitendra Mohan Sharma, J)

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