

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3840 of 2018

Arising Out of PS.Case No. -179 Year- 2017 Thana -SONBERSA District- SITAMARHI

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1. Ramesh Sahani Son of Ramakwal Sahani Resident of Villagep Dalkawa,
P.S. Sonbarsa, District- Sitamarhi.
2. Nandlal Sahani @ Nandan Sahni Son of Ruplal Shani Resident of
Village- Dalkawa, P.S.Sonbarsa, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kishore Thakur

For the Opposite Party/s : Mr. Sri Tarkeshwar Nath Thakur

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 25-01-2018 Heard the learned counsel for the petitioners and the
learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Sonbarsa P.S. Case No. 179 of 2017 registered for the offence punishable under Sections 147, 148, 149, 341, 323, 337, 338, 332, 333, 307, 353 of the Indian Penal Code, Section 4 /5 of the Damage to Public Property Act and Sections 37(A)(C) of the Bihar Prohibition and Excise Act, 2016.

From the written report, it appears that the Chowkidar of the village has taken the name of several accused persons including the petitioners herein and there is general and omnibus allegation to the effect that after the result of the election was declared, the petitioners herein along with 100-150 unknown persons started brick-batting and caused disturbance in the area as



well as also started throwing stone and bricks on the police party.

The learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case and they are having a clean antecedent. It is further submitted that similarly situated co-accused persons have already been granted anticipatory bail by a co-ordinate Bench of this Court by an order dated 22.11.2017 passed in Criminal Miscellaneous No. 54788 of 2017.

Having regard to the facts and circumstances of the case, I deem it fit and proper to enlarge the petitioners above named, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.D.J. II cum Special Judge Excise, Sitamarhi in connection with Sonbarsa P.S. Case No. 179 of 2017 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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