

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.74202 of 2018

Arising Out of PS. Case No.-515 Year-2018 Thana- SITAMARHI District- Sitamarhi

1. Lalbabu Sah S/o Late Rajendra Sah,
2. Naresh Dubey S/o Seth Ji Dubey
3. Sanjay Sah S/o Lalbabu Sah,
4. Mahendra Mukhiya S/o Nirash Mukhiya,
5. Biltu Sah S/o Bechan Sah, All resident of Village- Bhasar Gote, P.S. and District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Smt. Anita Kumari

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 20-12-2018 Heard learned counsel for the petitioners and learned
APP representing the State.

Petitioners are seeking anticipatory bail in connection with Sitamarhi P.S. Case No. 515 of 2018 registered for the offences punishable under Sections 341, 342, 323, 353 and 504/34 of the Indian Penal Code and Sections 30(a), 37(b) and 37(c) of the Bihar Prohibition and Excise Act, 2016.

As per the First Information Report, allegation against the petitioners is that they had surrounded the police jeep and had participated in getting the accused set free from the custody of the police.

Learned counsel for the petitioners submits that the



allegations against the petitioners that they had surrounded the police jeep and had participated in getting the accused set free are false and these petitioners have been falsely implicated by the police. Learned counsel further submits that the co-accused Bablu Sah and Chanchal Kumar Mandal have been granted privilege of anticipatory bail in Cr.Misc.No.50169 of 2018 by a learned coordinate Bench of this Court. It is further submitted that the accused who were allegedly set free by the mob have also been granted privilege of anticipatory bail vide Cr.Misc.No.45235 of 2018.

Learned APP for the State is present and has opposed the prayer for bail.

In the given facts and circumstances where the co-accused have been granted privilege of anticipatory bail, in case of arrest or surrender of the petitioners within a period of four weeks from today, the abovenamed petitioners shall be enlarged on bail on furnishing bail bond of Rs.15,000/- (rupees fifteen thousand) each with two sureties of the like amount each to the satisfaction of the learned A.D.J.-II-cum-Special Judge, Excise Act, Sitamarhi in connection with Sitamarhi P.S. Case No. 515 of 2018, subject to the condition that petitioners shall join the investigation by reporting to the Investigating Officer within a



period of three weeks from today and shall cooperate in course of investigation, failing which the Investigating Officer shall be at liberty to take steps for cancellation of their bail bond. This will be in addition to condition prescribed under Section 438(2) of the Cr.P.C.

(Rajeev Ranjan Prasad, J)

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