

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55888 of 2018

Arising Out of PS.Case No. -20 Year- 2016 Thana -MUZAFFARPUR RAIL P.S. District- SARAN
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1. AMIN SAHNI @ AMIR SAHNI, Son of Baidhnath Sahni, Resident of Village- Badichak Dehi, Police Station- Maker, District- Saran.
2. Mukesh Patel @ Vishal Ji @ Vishal, Son of Surendra Patel, Resident of Village- Subhaigarh, Police Station- Runnisaidpur, District- Sitamarhi

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s
=====

Appearance :

For the Petitioner/s : Mr. Sunil Prasad Singh

For the Opposite Party/s :
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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 28-09-2018 Heard learned counsels for the petitioners and the learned Additional Public Prosecutor for the State.

2. Petitioners seek bail in connection with Muzaffarpur Rail P.S. Case No. 20 of 2016 registered for the offences punishable under sections 147, 148, 149, 435, 427, 341, 342, 323, 504, 506 of the Indian Penal Code, 27 of the Arms Act and 15, 17 and 20 of the U.A.P Act.

3. The case has been registered against 30-35 unknown miscreants on the allegation that in the night of 26th March 2016 some extremists came and set ablaze the camp of a construction company. They further snatched mobile phones from the persons who were sleeping at the camp of construction



company.

4. The learned counsel for the petitioners submits that the names of these petitioners and other co-accused were disclosed by the co-accuseds, namely, Gulab Chand Ram, Ajit Kumar, Dharmendra, Ram and Manoj Ram, who were arrested in course of investigation after two or three days of the occurrence. Out of them, two accused have been allowed anticipatory bail by the lower court in A.B.P. No. 264 of 2017. He further submits that the allegation against these petitioners is omnibus and they have no criminal antecedent except two cases which are mentioned in paragraph 3 of this application in which they are not named in FIR. The case of the petitioners stands on similar footing to the case of co-accused Bindu Sahani and Rajeev Sahani, who have been allowed anticipatory bail by this Court in Cr. Misc. No.53352 of 2017 on 10.11.2017.

5. The learned Additional Public Prosecutor opposed the submission.

6. Considering the nature of allegation, facts and circumstances of the case, the prayer for bail of the petitioners is allowed and they are directed to be released on bail on furnishing bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Railway Judicial



Magistrate, Sonapur, Saran in connection with Muzaffarpur Rail

P.S. Case No.20 of 2016, subject to the following conditions:-

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court.

(Sanjay Kumar, J)

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