

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31965 of 2018

Arising Out of PS.Case No. -83 Year- 2016 Thana -RAJPUR District-
EASTCHAMPARAN(MOTIHARI)

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- 1) RAJESH KUMAR son of Shyam Kishore Gupta, resident of village – Raghunathpur, P.S. Mushari, District – East Champaran
 - 2) YOGI SAHANI son of Bhado Sahani, resident of village – Kothiya, P.S. Madhuban, District – East Champaran
 - 3) RATNESH KUMAR son of Tarachandra Prasad Gupta, resident of village – Tetariya, P.S. Rajepur, District – East Champaran
 - 4) SURESH SAHANI son of Ramachandra Sahani,
 - 5) JITENDRA SAHANI son of Ramachandra Sahani,
Both residents of village – Gheghwa, P.S. Madhuban, District – East Champaran,
 - 6) RAHUL JHA @ SUMIT KUMAR son of Manoj Kumar Jha,
 - 7) NAND KISHORE PASWAN son of Naresh Paswan,
All residents of village – Tetariya, P.S. Rajepur, District – East Champaran
 - 8) MANOJ KUMAR son of Late Harilal Sah,
 - 9) BHUDAY KUMAR @ BHOODAI KUMAR @ PAPPU CHAURASIYA son of Late Dhruv Narayan Prasad Chaurasiya,
 - 10) SHEO SHANKAR SAH @ SHEO SHANKAR PRASAD son of Late Jiyalal Sah,
 - 11) KUNDAN CHAURASIYA @ KUNDAN KUMAR son of Late Kripa Narayan Prasad Chaurasiya,
 - 12) RAVI KUMAR CHAURASIYA son of Awadhesh Narayan Chaurasiya,
 - 13) MITHLESH KUMAR @ MITHILESH KUMAR son of Tarachandra Prasad Gupta,
 - 14) RAM NARAYAN SAH son of Late Shankar Sah,
 - 15) SONU JHA @ SONU KUMAR JHA son of Anjani Jha,
 - 16) SANJAY KUMAR @ SANJAY CHAURASIYA son of Vishwanath Prasad,
All residents of Village Tetariya, P.S. Rajepur, District – East Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Sri Anil Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

2 24-05-2018

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Rajepur P.S. Case No. 83 of 2016 instituted for the offences punishable under Sections- 143, 144, 145, 147, 148, 149, 151, 152, 153A, 160, 295, 295A, 297, 298, 395, 341, 323, 504 and 342 of the Indian Penal Code.



Learned counsel for the petitioners submits that petitioners are not named in the FIR. The FIR is against unknown. The name of the petitioners have come in the supervision note. There is no specific allegation of overt act against the petitioners. It is stated in the written report that informant could not identify any of the miscreants, who had committed the crime.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners named above in the event of their arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Rajepur P.S. Case No. 83 of 2016 to the satisfaction of learned Sub-Divisional Judicial Magistrate, Sadar, East Champaran, Motihari subject to condition as laid down u/S 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bond of the petitioner and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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