

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7780 of 2019

Arising Out of P.S. Case No.-69 Year-2018 Thana- PARSAUNI District- Sitamarhi

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1. JITENDRA PANDIT aged about 35 years, Male, son of Bindeshwar Pandit Resident of Village - Parsauni Mailvar, P.S.- Parsauni, District- Sitamarhi.
 2. Akhilesh Sah, aged about 37 years, Male, Son of Late Ram Adhar Sah Resident of Village - Parsauni Mailvar, P.S.- Parsauni, District- Sitamarhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Mishra, Advocate

For the Opposite Party/s : Mr.Pancha Nand Pandit, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

2 11-02-2019 Heard the learned counsel for the petitioners and
learned counsel appearing on behalf of the State.

Petitioners are languishing in judicial custody since 10.10.2018 in connection with Parsauni P.S.Case No.69 of 2018 for the offence alleged under Sections 147, 148, 149, 323, 332, 337, 353, 307, 427 and 504 of the Indian Penal Code.

The prosecution case as lodged by the informant is that on secret information the house of co-accused Umesh Sah was searched but no illicit liquor was found. After some time, the co-accused Umesh Sah along with co-accused named in the FIR with 50-60 unknown persons ransacked the police station and also injured some of the police personnels. Petitioners are named in the FIR to have accompanied co-accused Umesh Sah.

It has been submitted by the learned counsel for the petitioners that they are innocent, bears no criminal antecedent



and have been falsely implicated in the aforesaid case. He submits that a mob had gathered, there was a mob attack on the concerned police station and the petitioners are villagers, hence their names have been roped in. He further submits that general and omnibus allegation has been levelled and chargesheet has already been submitted there being no allegation of tampering with the prosecution witnesses.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioners, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each in connection with Parsauni P.S.Case No.69 of 2018 to the satisfaction learned Chief Judicial Magistrate, Sitamarhi subject to the condition that one of the bailors would be a close relative of the petitioners having sufficient immovable property, who will file an affidavit stating his relationship with the petitioners.

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(Nilu Agrawal, J)

