

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 76124 of 2019

Arising Out of PS. Case No.-200 Year-2018 Thana- JANDAHA District- Vaishali

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1. JAI LAL SAHNI S/o Late Bilat Sahni R/o village- Dulaur, P.S.- Jandaha, District- Vaishali at Hajipur
 2. Purusottam Kumar Sahni @ Purusottam Sahni S/o Bechan Sahni R/o village- Dulaur, P.S.- Jandaha, District- Vaishali at Hajipur
 3. Bechan Sahni S/o Late Jai Nath Sahni R/o village- Dulaur, P.S.- Jandaha, District- Vaishali at Hajipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dilip Kumar Roy
For the Opposite Party/s : Mr.Uma Shankar Prasad Singh

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 03-12-2019 Heard learned counsel for the petitioners and the learned APP for the State.

Petitioners apprehend arrest in a case registered under Sections 147, 148, 149, 323, 333, 337, 338, 307, 379, 353, 427, 435, 504, 341 of Indian Penal Code, ¾ of Prevention of Damage of Public Property Act and Section 27 of Arms Act.

1000 unknown persons and 30 named accused are alleged to have indulged in violent protest in respect of murder of the Block Pramukh. Petitioners are amongst 30 named persons. It is submitted that they have been implicated only on the basis of suspicion and there is no recovery of any weapon



from their possession to connect them with the alleged illegal protest. There is only general and omnibus allegations against the petitioners. Having no criminal antecedent, the petitioners are apprehending their arrest on account of such allegations. It is submitted that other similarly situated persons, who were also named accused in the said case, have been allowed bail by this Court in Cr Misc No 50813 of 2019 and Cr Misc No 57259 of 2019.

Learned APP for the State has opposed the prayer.

Considering the rival submissions, this Court is inclined to accept the submission of the petitioner's counsel.

Let the petitioner above named, in the event of their arrest or surrender within four weeks from today, shall be released on bail on each of them furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate XI, Vaishali at Hajipur in Jandaha Police Station Case No 200 of 2018 subject to all conditions as laid down in Section 438 (2) of Criminal Procedure Code and also the following conditions:

(1) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to



how he is related with the petitioners. The bailor will also undertake to inform the Court if there is any change in the address of the petitioners.

(2) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail will be liable to be cancelled.

(Madhuresh Prasad, J)

M.E.H./-

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