

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4402 of 2020

Arising Out of PS. Case No.-162 Year-2018 Thana- KANHAULI District- Sitamarhi

1. Manish Kumar @ Ravi Kumar, Son of Vidya Nand Mahto, Resident of Village- Laxminiya Bara Tola, Kanhauli, P.S.- Kanhauli, Distt- Sitamarhi.
2. Sudhir Kumar @ Pratik Kumara, S/o Vidya Nand Mahto, Resident of Village- Laxminiya Bara Tola, Kanhauli, P.S.- Kanhauli, Distt- Sitamarhi.
3. Sitaram Mahto, S/o Aklu Mahto Resident of Village- Laxminiya Bara Tola, Kanhauli, P.S.- Kanhauli, Distt- Sitamarhi.
4. Virendra Kumar, S/o Mahesh Mahto, Resident of Village- Khap, P.S.- Kanhauli, Distt- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hans Lal Kumar, Advocate.

For the Opposite Party/s : Mr.A.M.P Mehta, APP.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 04-02-2020 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Kanhauli P.S. Case No. 162 of 2018, registered under Sections 147, 148, 149, 323, 324, 307, 353, 427, 447, 448, 452, 379, 380. 120B, 504, 506 and 193 of the Indian Penal Code and Section $\frac{3}{4}$ of the Damage to Public Property Act.

The accusation is that on 28.12.2018, informant being the SHO of Kanhauli Police Station was present at the police



station and discharging his official duty. At that time, some persons reached there and started to give pressure for apprehending to accused of Kanhauli P.S. Case No. 160 of 2018 then he tried to convince them that police is trying to apprehend the aforesaid accused but 32 persons named in the FIR and 100 unknown male and female surrounded the police station and started to abuse and damage the property by putting fire.

Learned counsel for the petitioners submits that while petitioners are not named in the FIR but in course of investigation, their names have surfaced due to ulterior motive and petitioners have no criminal antecedent. It is further submitted that co-accused, Bhola Mahto, has already been granted privilege of pre-arrest bail by a Bench of this Court vide order dated 06.03.2019 passed in Criminal Misc. No. 13843 of 2019.

Having regard to the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned I/C J.M. Ist Class, Sitamarhi, in connection with Kanhauli P.S. Case No. 162 of



2018, subject to the condition as laid down under Section 438(2)
of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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