

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6482 of 2020

Arising Out of PS. Case No.-154 Year-2019 Thana- SIMRI District- Darbhanga

1. Santosh Kumar Sahu, Son of Ram Dayal Sahu,
 2. Palat Sahni @ Palat Sahni, Son of Late Aitwari Sahni
 3. Kishan Sahni @ Krishan Sahni @ Krishna Sahni @ Kishun Sahni, Son of Parmeshwar Shah.
 4. Mushafir Shahni, Son of Bhutu Shahni @ Matur Shahni.
 5. Purushottam Rai, Son of Late Kamal Rai @ Raj Kumar Rai.
- All are Resident of Village - Kanshi, P.S.- Simrhi, District - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No2, Adv.

For the Opposite Party/s : Mr.Sanjay Kumar Pandey (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 23-06-2020 The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.

Heard learned counsel for the petitioners and learned counsel for the State.

Petitioners, apprehends their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 187, 188, 353, 307, 333, 427 of the Indian Penal Code.

Informant who is police personnel has alleged that on 06.09.2019 while he along with other police party were in patrolling duty, in the meantime, he received a secret



information and on the basis of which Simri P.S. Case No. 153 of 2019 was registered. It is further alleged that on the identification of accused of Simri P.S. No. 153 of 2019 huge quantity of wine have been recovered from the vehicle seized in Simri P.S. Case No. 153 of 2019. It is further alleged that the accused persons tried to loot those wine and when they failed, they pelted stone, bricks upon the police party and they obstructed the police to discharge from their duty.

It has been submitted on behalf of the petitioners that they are innocent and have been falsely implicated in this case due to dirty village politics. Petitioners have no concern with the present occurrence and Simiri P.S. Case No. 153 of 2019. There is no specific allegation against the petitioners. It is further submitted that the date of occurrence is 06.09.2019 whereas case has been lodged on 07.09.2019 without any explanation. Petitioners have no criminal antecedent.

Considering the facts and circumstances of the present case, let petitioners, above named, in the event of arrest or surrender within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on pre-arrest bail on furnishing bail bonds of Rs. 20,000/- (twenty thousand only) each with two sureties of the like amount each to



the satisfaction of the learned court below where the case is pending in connection with Simri P.S. Case No. 154 of 2019 subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure with following conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioners shall co-operate in the trial and shall be represented on each and every date fixed by the court.
- (3) If the 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.

(S. Kumar, J)

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