

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12776 of 2020

Arising Out of PS. Case No.-102 Year-2014 Thana- GHORASAHAN District- East
Champaran

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1. MANOJ SINGH, aged about 30 years, Male, S/o Bhagya Narayan Singh,
Resident of Village- Majirwa, P.S.- Lakhaura, Distt- East Champaran
 2. Jitendra Singh, aged about 32 years, Male, S/o Bhagya Narayan Singh,
Resident of Village- Majirwa, P.S.- Lakhaura, Distt- East Champaran

... Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioners : Mr. Rajive Ranjan Singh, Adv.

For the Opposite Party : Mr. Nagendra Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 02-07-2020

Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the state through video conferencing.

The petitioners seek pre-arrest bail in connection with
Ghorasahan (Lakhaura) P.S. Case No. 102 of 2014, registered under
Sections 147, 148, 149, 341, 342, 323, 325, 354, 380, 457, 307, 504
and 506 of the Indian Penal Code.

The accusation is that on 25.03.2014 while the informant,
Gafur Mastan, along with his family members were sleeping in the
house, at that time 20 to 25 persons, variously armed with weapons,
came at his door and started to raise alarm, then, he woke-up and
identified 17 persons, including both the petitioners, Manoj Singh and
Jitendra Singh, who committed loot in his house and took the gold
chain, locket, ring, nose-pin worth Rs.60,000/- and other materials on
breaking the box. Yodha Rai caused injury through phatta at his head
and other also caused injury through lathi to him.

Submission is that while the occurrence is said to be of



25.03.2014, but, the present case has been lodged on 28.03.2014, after three days, without disclosing the reason of lodging the case after three days. More over, while the petitioners and 15 others are made accused in this case, but, no overt act has been attributed to them and similarly situated five co-accused have already been allowed the privilege of pre-arrest bail vide Cr. Misc. No. 461 of 2016 on 03.03.2016. The petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the petitioners, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Ghorasahan (Lakhaura) P.S. Case No. 102 of 2014 shall be released on bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the Subdivisional Judicial Magistrate, Sikarahana, Dhaka, East Champaran, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

Shamshad/-

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