

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53599 of 2019

Arising Out of PS. Case No.-579 Year-2018 Thana- SAKRA District- Muzaffarpur

1. Murari Singh @ Murari Kumar Singh @ Murari Kumar Son of Awadh Kishor Singh Resident of Village- Ram Nagar, Post- Sakra, District- Muzaffarpur, Bihar
2. Nirmal Jha @ Pankaj Jha @ Pankaj Kumar Jha Son of Mahakant Jha Resident of Village- Ram Nagar, Post- Sakra, District- Muzaffarpur, Bihar
3. Vishwanath Singh @ Bishwanath Singh Son of Rambriksh Singh Resident of Village- Ram Nagar, Post- Sakra, District- Muzaffarpur, Bihar
4. Ravi Kant Jha @ Ravinath Jha Son of Shiv Kant Jha Resident of Village- Ram Nagar, Post- Sakra, District- Muzaffarpur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Singh, Advocate

For the Opposite Party/s : Mr.Akhileshwar Dayal, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 28-02-2020 Heard learned counsel for the parties.

The petitioners apprehend their arrest in connection with Sakra P.S. Case No. 579 of 2018 registered under Sections 147, 148, 149, 341, 323, 307, 379, 504 and 506 of the Indian Penal Code.

The accusation is that nine persons named including the petitioners along with 20-25 unknown persons having variously armed with weapons at the door of Anil Mahto in the leadership of Vishwanath Singh who ordered to kill the informant. Thereafter, Vijay Singh and Ravikant Jha folded gamchha around his neck and started dragging him and brought



him towards Panchayat Bhawan where Vishwanath Singh started to assault after folding his hand and when Ram Naresh Mahto and Dinesh Kumar rushed to save him, they were also assaulted and at that time they snatched two mobiles, and gold chain.

Learned counsel for the petitioners submits that it would appear from the F.I.R. that no specific overt act has attributed against the petitioner. In fact, Ravinath Jha cousin of petitioners has lodged Sakra P.S. Case No. 471 of 2018 under Sections 506, 366(A)/34 and 363 of the Indian Penal Code regarding the kidnapping of his daughter against the informant and his son, due to that reason the petitioners have falsely been implicated in this case. Similarly situated co-accused have already been allowed bail by a bench of this Court vide order dated 19.11.2019, passed in Cr.Mis.No. 72308/2019.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-cum-Sub Judge 13th Muzaffarpur, in



connection with Sakra P.S. Case No. 579 of 2018, on the following condition:-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and their absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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