

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68703 of 2021

Arising Out of PS. Case No.-245 Year-2017 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

-
1. Kishore Kumar @ Kishore Sahni, Male, aged about 30 years, S/O Dasharath Sahni, Resident Of Mohalla - Sikandarpur Kundal, P.S. - Town, District - Muzaffarpur.
 2. Lulwa Sahni @ Dharmendra Kumar Sahni, Male, aged about 30 years, S/O Dasharath Sahni, Resident Of Mohalla - Sikandarpur Kundal, P.S. - Town, District - Muzaffarpur.
 3. Mahesh Sahni @ Kallu, Male, aged about 37 years, S/O Dhano Sahani, Resident Of Mohalla - Sikandarpur Kundal, P.S. - Town, District - Muzaffarpur.
 4. Tuntun Sahni @ Ganesh Sahni, Male, aged about 46 years, S/O Late Prabhu Sahani, Resident Of Mohalla - Sikandarpur Kundal, P.S. - Town, District - Muzaffarpur.
 5. Rakesh Sahni, Male, aged about 28 years, S/O Ram Bilash Sahani, Resident Of Mohalla - Sikandarpur Kundal, P.S. - Town, District - Muzaffarpur.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Anjana, Advocate
For the Opposite Party : Mr. Nityanand, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-12-2021 Learned counsel for the petitioners is directed to remove the defects, as pointed out by the office, within a period of eight weeks.

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

The petitioners are apprehending their arrest in connection with Town P.S. Case No. 245/2017 for the offence



registered under Sections 147, 148, 149, 337, 353, 504 of the I.P.C. and 45 of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that on 23.04.2017 the informant alongwith other police personnel proceeded on patrolling duty by police jeep and at 9.30 hours, he reached near *Sikandarpur Bandh* and saw a person was coming on a *TVS Motorcycle* and in which two jerkins were hanged in suspicious condition and so the police party chased him but he succeeded to flee away. Later on, several people of locality including the F.I.R. named accused persons assembled there and started riots against the police force and threw stones upon the police jeep and the police personnel in which the driver of the police jeep has got bleeding injury.

It has been submitted by learned counsel for the petitioners that the petitioners have been made accused in the present case due to mistake of fact. There is no allegation of tampering with the witnesses alleged against the petitioners. General and omnibus allegation has been made against the petitioners. Free fight is alleged to have taken place between the parties. No recovery of liquor has been made in the present case.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R/ Complaint Case.



Considering the aforesaid facts and circumstances of the case, let the petitioners above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory 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 learned Special Judge, Excise Act, Muzaffarpur, in connection with Town P.S. Case No. 245/2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

U.K./-

U		T	
---	--	---	--

