

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52462 of 2021

Arising Out of PS. Case No.-384 Year-2019 Thana- BAIRIYA District- West Champaran

1. SHIVAM PATEL @ SHIVAM KUMAR, Son of Om Narayan Patwa R/o Village- Hat Saraiya, P.S.- Bairiya, District- West Champaran.
2. Santosh Kumar @ Santosh Sah S/o Shyam Sunser Sah R/o Village- Hat Saraiya, P.S.- Bairiya, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhannjay Kumar No 2

For the Opposite Party/s : Mr.APP.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 21-01-2022 Heard the learned counsel for the petitioners and

the State.

The petitioners seek bail in anticipation of their arrest in connection with Bairiya P. S. Case No. 384 of 2019, instituted for the offences under Sections 147, 148, 149, 341, 323, 342, 307, 332, 333, 427, 436, 504, 506 and 120(B) of the Indian Penal Code.

It has been alleged in the First Information Report that for the murder of one Munna Sah, the villagers were suspecting the hands of one Santosh Sah who was being protected by the local police. As a result,



when the local police arrived at the place of occurrence, they were attacked by the villagers.

The petitioners have been made accused in this case on the basis of their identification in the video footage and on statement of other witnesses.

It has been urged on behalf of the petitioners that merely because the petitioners are the residents of the village and have shown some sympathy for the aforesaid Munna Sah, they have been made accused in this case.

There is no specific accusation against them.

The petitioners are poor persons of the village, who have unnecessarily been made accused in this case.

They do not have criminal antecedents.

Regard being had to the afore-stated facts, the petitioners, above-named, are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail



bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, West Champaran, Bettiah, in connection with Bairiya P. S. Case No. 384 of 2019,, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

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