

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45638 of 2022

Arising Out of PS. Case No.-95 Year-2022 Thana- HATHAURI District- Muzaffarpur

1. GIRWAR SAH @ GIRWAL SAH @ BIRWAL SAH Son of Late Soet Sah
Resident of Village - Mahuli, P.s.- Hathauri, Distt.- Begusarai.
2. BABLU SAH Son of Girwar Sah @ Girwal Sah Resident of Village -
Mahuli, P.s.- Hathauri, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K., Advocate

For the Opposite Party/s : Mr. Anil Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 14-12-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 353, 354, 332 and 427 of the Indian Penal Code.

Learned counsel for the petitioners seeks permission to make rectification in the Cause Title of the anticipatory bail application with respect to the address of the petitioner.

Permission is accorded.

The informant alleges that he received information from Anupurna Devi that her husband Mithilesh Singh has been



abducted by 13 accused persons including the petitioners and would be killed, accordingly, the informant reached the place of occurrence, when he saw that one person was tied by a rope and some miscreants have surrounded him, further the victim was released and disclosed the name of Mithilesh Singh, further when the victim was being taken in the vehicle, six accused protested and started forcefully taking the victim down from the vehicle and even attacked by lathi, stick and rod, it is next alleged that even the policemen were injured and the vehicle was damaged and female police officers were misbehaved with, further the informant with the help of Chowkidar recognized 33 named accused persons including the petitioners and 30-40 unidentified accused were also present, it is further alleged that Surendra Shah was arrested.

Learned counsel for the petitioners submits that the petitioners have antecedent of one case and are investors and have been falsely implicated in the present case, it is next submitted that Mithilesh Singh was manager of a cooperative society and the investors had invested money in the cooperative society in hope that the same would mature and they will get the maturity benefit but when they went to redeem their maturity amount, they came to know that they have been cheated and as



such, they were holding Mithilesh Singh responsible, it is also submitted that petitioners are also one of the investors and they were agitated that Mithilesh Singh had cheated them and it was not a case of kidnapping or abduction. Learned counsel also submits that even allegation of assault and abuse is general and omnibus in nature.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six 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 trial court where the case is pending/successor court in connection with Hathauri P.S. Case No. 95 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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