

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48272 of 2022

Arising Out of PS. Case No.-202 Year-2021 Thana- TARIYANI CHOWK District- Sheohar

1. MD. NIJAMUDDIN Son of Rahmat Miyan Resident of Village - Sumhuti, P.S. - Tariyani, District - Sheohar (Bihar).
2. Hari Kishore Prasad Singh Son of Ram Bilash Rai Resident of Village - Sumhuti, P.S. - Tariyani, District - Sheohar (Bihar).
3. Santosh Jha Son of Ram Kishore Jha Resident of Village - Sumhuti, P.S. - Tariyani, District - Sheohar (Bihar).
4. Biltu Ram @ Bittu Ram Son of Bachhan Ram Resident of Village - Sumhuti, P.S. - Tariyani, District - Sheohar (Bihar).
5. Lakshman Sah @ Banaiya Son of Jagdish Sah Resident of Village - Sumhuti, P.S. - Tariyani, District - Sheohar (Bihar).
6. Raju Mahto Son of Gagandeo Mahto Resident of Village - Sumhuti, P.S. - Tariyani, District - Sheohar (Bihar).
7. Akhilehs Kumar Son of Rabindra Sah Resident of Village - Sumhuti, P.S. - Tariyani, District - Sheohar (Bihar).

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party/s

WITH
CRIMINAL MISCELLANEOUS No. 50077 of 2022

Arising Out of PS. Case No.-202 Year-2021 Thana- TARIYANI CHOWK District- Sheohar

1. RAJU SAH Son of Shankar Sah Resident of Village - Sumhuti, P.S.- Tariyani, Distt.- Sheohar (Bihar)
2. Indal Mandal Son of Rajendra Mandal Resident of Village - Sumhuti, P.S.- Tariyani, Distt.- Sheohar (Bihar)

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 48272 of 2022)

For the Petitioner/s : Mr.Uday Kumar

For the Opposite Party/s : Mr.Syed Ehteshamuddin

(In CRIMINAL MISCELLANEOUS No. 50077 of 2022)

For the Petitioner/s : Mr.Uday Kumar

For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem



CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 06-12-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Learned counsel for the petitioners undertakes to remove the defect (s), as pointed out by the office, within a period of four weeks.

The petitioners apprehends their arrest in a case registered for the offences punishable under Sections 147, 149, 341, 342, 323, 353, 307, 332, 337, 283, 427, 504 & 506 of the Indian Penal Code and Section 3/4 of the Prevention of Damage to Public Property Act, 1984.

28 named and 400 unknown persons including these petitioners are said to have blocked the road by burning tire and were uttering enraged language to provoke the people against the administration. They also damaged the police vehicle.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. They have been falsely implicated in this case due to dirty village politics. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. Similarly situated co-accused, namely, Raj Kumar Sah has been granted



bail vide order dated 29.11.2022 passed in Cr. Misc. No.44066 of 2022. The police in order to save their skin and get encouragement from the senior officer implicated the innocent persons by making false accusation. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Tariyani P.S. Case No. 202 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

Trivedi/-

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

