

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59358 of 2021

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

1. SADHU PATEL, S/o SRI TENGARI PATEL R/o VILLAGE-HAT SARAIYA, P.S-BAIRIYA, DISTRICT-WEST CHAMPARAN.
2. RAMBABU SAH S/o SRI PARAS SAH R/o VILLAGE-HAT SARAIYA, P.S-BAIRIYA, DISTRICT-WEST CHAMPARAN.
3. AJAY SAH @ AJAY KUMAR S/o LATE MADAN 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.Umesh Chandra Verma
For the Opposite Party/s : Mr.Shyameshwar Dayal

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, dated 05.11.2019, instituted for the offences under Sections 147, 148, 149, 341, 323, 342, 307, 332, 333, 353, 427, 436, 504, 506 and 120(B) of the Indian Penal Code and Sections 3 and 4 of the Prevention of Damage to Public Property Act.

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 Additional Chief Judicial Magistrate-III, 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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