

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64337 of 2022

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

1. KANCHAN KUMARI Daughter of Surendra Sah Resident of village - Mahuli, P.S.- Hathauri, District - Muzaffarpur
2. Chandan Kumar Son of Surendra Sah Resident of village - Mahuli, P.S.- Hathauri, District - Muzaffarpur
3. Phuleshwar Sah Son of Ram Shrestha Sah Resident of village - Mahuli, P.S.- Hathauri, District - Muzaffarpur
4. Ramsundari Devi @ Ram Sundar Devi Wife of Surendra Sah Resident of village - Mahuli, P.S.- Hathauri, District - Muzaffarpur
5. Ganeshi Sah Son of Ram Shrestha Sah Resident of village - Mahuli, P.S.- Hathauri, District - Muzaffarpur
6. Kundan Kumar Son of Surendra Sah Resident of village - Mahuli, P.S.- Hathauri, District - Muzaffarpur

... .. 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. Mukesh Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-12-2022 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.

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 two cases and petitioner no. 1 and 4 are women and have been falsely implicated in the present case being a family member of Birendra who was an agent of the cooperative society, it is next submitted



that even some of the petitioners had invested through Surendra in the cooperative society and when the amount matured, they went to redeem the same then they came to know that they have been cheated and the cooperative society was not functional based on which Mithilesh Singh who was the Manager of the cooperative society was brought to the village by the investor when the present case came to be instituted. Learned counsel next submitted that even petitioners were agitating as they had lost all their money on account of investment in the cooperative society of which Mithilesh Singh was the Manager, it is further submitted that Girwar Sah and Bablu Sah have been granted anticipatory bail by order dated 14.12.2022 in Cr. Misc. No. 45638 of 2022 and Sanjay Sah has been granted anticipatory bail by order dated 14.12.2022 in Cr. Misc. No. 44062 of 2022.

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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