

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.68947 of 2023**

Arising Out of PS. Case No.-184 Year-2023 Thana- SARAI RANJAN District- Samastipur

1. SUNITA DEVI WIFE OF MANJAY DAS @ MANJAY SADA VILLAGE- DIH SARAI RANJAN, PS- SARAI RANJAN, DIST- SAMASTIPUR
2. BHOLA SADA @ BHOLA KUMAR SADA SON OF RAJAN SADA VILLAGE- DIH SARAI RANJAN, PS- SARAI RANJAN, DIST- SAMASTIPUR
3. SHIV NATH SHARMA SON OF RAMJATAN SHARMA VILLAGE- DIH SARAI RANJAN, PS- SARAI RANJAN, DIST- SAMASTIPUR
4. JYOTI KUMARI DAUGHTER OF NARESH SADA VILLAGE- DIH SARAI RANJAN, PS- SARAI RANJAN, DIST- SAMASTIPUR
5. GAVASKAR SADA SON OF BISHESHWAR SADA VILLAGE- DIH SARAI RANJAN, PS- SARAI RANJAN, DIST- SAMASTIPUR
6. FULIYA DEVI WIFE OF GAVASKAR SADA VILLAGE- DIH SARAI RANJAN, PS- SARAI RANJAN, DIST- SAMASTIPUR
7. JATHU SADA SON OF RAMESHWAR SADA VILLAGE- DIH SARAI RANJAN, PS- SARAI RANJAN, DIST- SAMASTIPUR
8. SUNITA DEVI WIFE OF JATHU SADA VILLAGE- DIH SARAI RANJAN, PS- SARAI RANJAN, DIST- SAMASTIPUR
9. SONU KUMAR @ SONU KUMAR SADA SON OF JATHU SADA VILLAGE- DIH SARAI RANJAN, PS- SARAI RANJAN, DIST- SAMASTIPUR
10. KAILASHIYA DEVI WIFE OF SINGHESHWAR SADA VILLAGE- DIH SARAI RANJAN, PS- SARAI RANJAN, DIST- SAMASTIPUR
11. NARESH SADA SON OF SRINGAR SADA VILLAGE- DIH SARAI RANJAN, PS- SARAI RANJAN, DIST- SAMASTIPUR
12. REKHA DEVI WIFE OF NARESH SADA VILLAGE- DIH SARAI RANJAN, PS- SARAI RANJAN, DIST- SAMASTIPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Surya Narayan Roy

For the Opposite Party/s : Ms.Pushpa Sinha.1

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY**  
**ORAL ORDER**



3      11-12-2023                      Learned counsel for the petitioners is permitted to make necessary correction in cause title of bail petition filed on behalf of the petitioner during the course of the day.

2. Heard learned counsel for the petitioner and learned A.P.P. for the State.

3. The petitioners seek bail in connection with Sarairanjan P.S. Case No. 184 of 2023 registered for the offences punishable under Sections 145, 186, 147, 149, 341, 342, 323, 332, 333, 307, 379, 427, 224, 225, 504 of the I.P.C. and Section 45 of the Bihar Prohibition and Excise Act.

4. As per prosecution case, on secret information the informant alongwith police official reached at Mushar Toli, village Sarairanjandih and apprehended the co-accused Manoj Sada in intoxicated condition. On hulla, 50 - 60 people armed with lathi, danda etc. surrounded the police official and attacked upon them. Meanwhile, one among them tore the uniform of informant and took out Rs.800/- in cash from his pocket, damaged the police vehicle and also released the said apprehended co-accused from the clutch of the police. Petitioner nos. 1, 5, 6, 10 and 11 alongwith others were apprehended on the spot.

5. Learned counsel for the petitioners submits that



petitioner nos. 2, 3, 4, 7, 8, 9 and 12 are not named in F.I.R. During the course of investigation, their names have been transpired in this case. He further submits that petitioners are in custody since 20.07.2023 and they have no criminal antecedent. Learned counsel for the petitioners orally submits that charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. He further submits that no incriminating article has been recovered from possession of the petitioners. Petitioners are innocent and have falsely been implicated in the present case due to dirty village politics. He further submits that the petitioners have no concern with the apprehended co-accused Manoj Sada.

6. The learned A.P.P. for the State opposes the prayer for bail of the petitioners.

7. Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioners above named be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise II, Samastipur in connection with Sarairanjan P.S. Case



No. 184 of 2023, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioners will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

**(Alok Kumar Pandey, J)**

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