

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55449 of 2015

Arising Out of PS.Case No. -265 Year- 2015 Thana -SIMRI BAKHTIARPUR District- SAHARSA

1. Pintu Sah son of Prithivi Sah
2. Rajesh Kumar son of Late Homi Sah
Both resident of village- Mohanpur, P.S.- Simri Bakhtiyarpur, District- Saharsa

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Harun Quareshi

For the Opposite Party/s : Mr. Asha Kumari(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 07-12-2015

Heard learned counsels for the petitioners

and the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 323, 341, 427, 379, 504, 506, 354 of the Indian Penal Code and 27 of the Arms Act.

It is alleged that the accused persons including the petitioners came at the shop of the informant and took out rupees three thousand five hundred and assaulted the informant with fists and slaps when the husband of the informant came to rescue then petitioner no. 2 Rajesh Sah resorted to fire.

It is submitted by learned counsel for the petitioners that the accusation is omnibus and general except

Rajesh Sah. In the background of land dispute the accusation has been levelled and a statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent. Moreover, co-accused persons have been granted anticipatory bail vide Cr. Misc. Nos. 52528 of 2015 and 53780 of 2015.

Considering the aforesaid facts, let the above named petitioner no.1 be released on anticipatory bail, in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa in connection with Simri Bakhtiyarpur (Balwahat O.P.) P.S. Case No. 265 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

So far as petitioner no. 2 Rajesh Sah is concerned, let the learned court below consider his prayer for regular bail, preferably on the same, if he surrenders before the learned court below within a period of six weeks from today.

DKS/-

(Dinesh Kumar Singh, J)

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