

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60154 of 2017

Arising Out of PS. Case No.-27 Year-2017 Thana- KHAGARIA District- Khagaria

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1. Sanjay Sah,
 2. Bablu Sah,
 3. Ajay Sah,
 4. Tuntun Sah, All Sons of Bhagwan Sah, All R/o-Mohalla- Uttri Hazipur, P.S.- Chitragupt Nagar, District- Khagaria.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar
For the Opposite Party/s : Mr. Mustaque Alam

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 13-12-2017 Heard learned counsels for the petitioners and State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 379 and 307/34 of the IPC.

The prosecution case, as per the written report of Rahul Kumar is to the effect that on 16.01.2017 at 11.30 PM, the petitioners including 10-15 accused persons came variously armed to the house of the informant, called the informant and threatened to kill him. On protest being made, petitioner no.1, Sanjay Sah assaulted by country made pistol on the head of the informant and when the brother and cousin of the informant, namely Dushyant Kumar and Sanyasi Kumar came to rescue,



then they were also assaulted by the petitioners and other co-accused persons. Petitioner no. 4, Tuntun Sah forcibly entered into the house of the informant and took away a briefcase containing ornaments worth Rs. 1,25,000/- and cash of Rs. 25,000/-.

It is submitted by learned counsel for the petitioner that the present case is the counter blast to Chitragupta Nagar P.S. Case No. 774 of 2014 which was lodged at the behest of petitioners' side. The injury report of the informant suggests only one cut injury of marginal size, superficial simple in nature. There is counter version of the occurrence also being Chitragupta Nagar P.S. Case No. 30 of 2017, registered with accusation under Sections 341, 323, 385, 379, 504 and 506/34 of the IPC. A statement has been made in paragraph no.3 of the petition that the petitioners have no criminal statement.

Considering the accusation against the petitioners being omnibus and general and nature of injury being found simple superficial in nature, let the above named petitioners be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of



learned Chief Judicial Magistrate, Khagaria in connection with
Khagaria (Chitragupt Nagar) P.S. Case No. 27 of 2017, subject
to the condition as laid down under Section 438(2) of the Cr.
P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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