

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32033 of 2017

Arising Out of PS.Case No. -63 Year- 2017 Thana -MAJHAHGARH District- GOPALGANJ

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1. Hira Sah @ Hira Lal Sah, son of Chandrika Sah,
 2. Surendra Sah, son of Late Bishun Sah,
 3. Chhotan Sah @ Chhotan Kumar, son of Surendra Sah,
 4. Bachan Sah, son of Surendra Sah,
 5. Sanjay Sah, son of Deonath Sah.

All resident of Village- Bhasahi, P.S.- Manjhagarh, District-
Gopalganj, Bihar.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Indrajeet Bhushan, Adv.

For the Opposite Party/s : Mr. Sakir Ahmad, APP

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 20-07-2017 Heard learned counsel for the petitioners and
learned counsel for the State.

In this case, the petitioners are seeking anticipatory
bail in connection with Manjhagarh P.S. Case No.63 of 2017
(G.R. No.1394 of 2017), registered for the offence punishable
under Sections 341, 323, 325, 307, 427, 379, 147, 148 and 149 of
the Indian Penal Code.

As per the F.I.R., while the informant side digging
the foundation for the construction of new house, the accused
persons came there and started assaulting the informant side.

Specific allegation has been made against petitioner



no.1 to have caused the injury on the right hand of Ashish Sah with *lathi*, led to fracture, but no specific allegation has been made against other petitioners. The incident took place on account of land dispute.

Looking to the facts and circumstances of the case, let the above-named petitioner nos. 2 to 5 be released on anticipatory bail in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Gopalganj, in connection with Manjhagarh P.S. Case No.63 of 2017 (G.R. No.1394 of 2017), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

So far as the bail of petitioner no.1 is concerned, the same is rejected. If the petitioner surrenders before the Court below within four weeks from today and prays for bail, the court below will pass the order in accordance with law on the same day without being influenced by the order of this Court.

(Shivaji Pandey, J)

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