

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63290 of 2018

Arising Out of PS. Case No.-48 Year-2018 Thana- SIKTI District- Araria

-
1. Ramdeo Sah S/o Khushilal Sah
 2. Bishundeo Sah, S/o Khushilal Sah
 3. Santosh Sah S/o Ramdeo Sah, All Resident of Village-
Kauwakoh, Ward No- 4, P.S. Sikty (Bardaha O.P.), District-
Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Kundan Kumar Singh
		Mr. Bishwajeet Singh
For the Opposite Party/s	:	Mr. Mukeshwar Dayal, APP

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 19-12-2018 Learned counsel for the petitioners seeks permission to withdraw the bail petition of the petitioner no. 1 Ramdeo Sah as the petitioner has been apprehended during pendency of this application.

Permission is granted.

This Criminal Miscellaneous Application is dismissed as withdrawn against the petitioner no. 1.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioners apprehend their arrest in connection with Sikty (Bardaha) P.S. Case no. 48 of 2018 registered under Sections 147, 148, 149, 341, 323, 324, 307, 354-B, 379 of the



Indian Penal Code.

Petitioner Bishundeo Sah is said to have assaulted on the head of the brother of the informant Sanjay Kumar Sah by means of Iron rod while petitioner Santosh Sah, Ramdeo Sah and Krishandeo Sah are said to have assaulted another brother of the informant, namely, Shyam Sundar Sah on his head by means of rod inflicting head injuries to the aforesaid victims over row of felling Kadam tree.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. There is case and counter case between the parties and the case of the petitioners happen to be earlier to the case under hand and in order to save his skin from the aforesaid case, the informant has lodged this false and frivolous case against the petitioners. The injuries sustained by Sanjay Kumar Sah and Shyam Sundar Sah are simple in nature and moreover assailant of Shyam Sundar Sah is not ascertained.

On the other hand, learned APP opposed the bail prayer of the petitioners.

In the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of their



arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Araria in connection with Sikty (Bardaha) P.S. Case no. 48 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

rohit/-

U		T	
---	--	---	--

