

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31276 of 2018

Arising Out of PS.Case No. -40 Year- 2018 Thana -SAHARSA District- SAHARSA

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1. Shankar Kumar Sah @ Shankar Sah, Son of Upendra Sah.
2. Mohan Sah, Son of Upendra Sah.
3. Upendra Sah, son of Bindeshwari Sah.
4. Jantu Sah @ Jentu Sah, Son of Badri Sah.
5. Badri Sah, Son of Late Raghuni Sah, All are resident of Village-Bishanpur, P.S.- Saharsa (Sonbarsa Kachahari), District- Saharsa.

.... Petitioners

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Ajit Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 05-07-2018 Heard the parties.

The petitioners seek anticipatory bail in connection with Saharsa (Sadar) P.S. Case No. 40 of 2018, registered for offences punishable under Sections 341, 323, 324, 308, 380, 504 and 506/34 of the Indian Penal Code.

Allegation against the petitioners is of assault to the informant by means of iron rod on his head, as a result he sustained serious injury and other accused also assaulted his father by means of lathi and iron rod and snatched cash of Rs. 30,000/-

Submission of the learned counsel for the petitioners is that there is a case and counter case and F.I.R. itself discloses that



there was previous dispute between the party and injury on the person of the informant, is simple in nature. It is also submitted that there is no recovery from the possession of the petitioner

Learned A.P.P. opposed the prayer for bail.

Having heard both sides and in view of the facts and circumstances, as discussed above, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of six weeks from the date of the order, be released on anticipatory bail on furnishing bail bonds of Rs. 25,000/- (Twenty five thousand) with two sureties of the like amount each in connection with Saharsa (Sadar) P.S. Case No. 40 of 2018 to the satisfaction of learned Chief Judicial Magistrate, Saharsa, subject to the conditions laid down under Section 438 (2) Cr.P.C. with other that bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned and petitioners shall cooperate in the investigation and shall be present before police as and when required, otherwise prosecution is at liberty to move for cancellation of their bail bonds.

(Vinod Kumar Sinha, J)

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