

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.10009 of 2018

Arising Out of PS.Case No. -103 Year- 2017 Thana -CHAKAMHESI District- SAMASTIPUR

=====

1. Pankaj Sah,
2. Bhutta Sah @ Bhutu Sah,
3. Jitendra Sah All are Sons of Niranjana Sah, All are R/o Village- Rasalpur
Baghala, P.S.- Chakmehsi, District- Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Dilip Kumar Roy

For the Opposite Party/s : Mr. Nagendra Prasad

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

2 21-02-2018 Heard the learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek anticipatory bail in connection with
Chakmehsi PS case no. 103 of 2017 dated 12.9.2017 registered for
the offences punishable under Sections 147, 148, 149. 341, 342,
307, 504, 506 and 379 of the Indian Penal Code.

At the outset, the learned counsel for the petitioners seeks
permission to withdraw the present anticipatory bail petition as far
as the petitioner no.1, namely, Pankaj Sah, is concerned.

Accordingly, the present petition as regards the petitioner
no.1 is disposed of as withdrawn with a liberty to approach the
learned trial court for grant of regular bail.

Now, coming to the merits of the case, the prosecution



case is that the accused persons had conspired together and assaulted the informant with iron rod etc., however, the petitioner no.1 is said to have given a blow of iron rod on the head of the informant, resulting in injury being sustained by the informant.

The learned counsel for the petitioners submits that as far as the petitioner nos.2 and 3, namely, Bhutta Sah @ Bhutu Sah and Jitendra Sah, respectively, are concerned, there is no specific allegation of any overt act against them and they have a clean antecedent.

Having regard to the facts and circumstances of the case, in the event of arrest or surrender before the concerned court within a period of six weeks from the date of receipt/production of a copy of the present order, the petitioner Nos. 2 and 3, namely, Bhutta Sah @ Bhutu Sah and Jitendra Sah, are directed to be released on anticipatory bail on furnishing bonds of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, I, Samastipur in connection with Chakmehsi PS case no. 103 of 2017, subject to the conditions laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

BTiwary/-

U			
---	--	--	--

