

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48653 of 2018

Arising Out of PS. Case No.-191 Year-2018 Thana- FORBESGANJ District- Araria

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1. Rajesh Sah, Son of Late Janki Lal Sah,
 2. Chandan Sah @ Chandan Kumar Sah, Son of Rajesh Sah,
 3. Rohit Sah @ Rohit Kumar Sah, Son of Rajesh Sah, All are resident of Village- Amhara, Ward No.09, P.S.- Forbesganj, Dist- Araria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh
For the Opposite Party/s : Mr. Sanjay Kumar Tiwary 1

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-10-2018 Counsel for the petitioners seeks permission to withdraw the present application on behalf of petitioner No.1 as the petitioner No.1 has been taken into judicial custody.

Permission is accorded.

The application on behalf of petitioner No.1 is dismissed as withdrawn.

Heard learned counsel for the petitioners No.2 and 3 and learned APP for the State.

The petitioners No.2 and 3 are apprehending their arrest in a case registered under Sections 341, 323, 307, 379, 504, 506, 354B/34 of the Indian Penal Code.

The prosecution case, in short, is that the accused persons including the petitioners assaulted the informant and his family



members by means of farsa, iron rod, sword etc., due to which they sustained injuries.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. It is a case and counter case between the parties. The petitioners have falsely been implicated in the present case. Injuries have been sustained on the petitioners side also. Said injuries have not been explained by the prosecution.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners No.2 and 3, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Forbesganj P.S. case No.191 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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