

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6538 of 2019

Arising Out of PS. Case No.-282 Year-2018 Thana- HUSSAINGANJ District- Siwan

1. UTTAM SAH, son of Suraj Sah, Resident of village-Rafipur, P.S.-Hussainganj District-Siwan
2. Anita Kumari @ Amita Kumari @ Manturan Kumari @ Manturna Kumari, wife of Sheonath Sah, Resident of village-Rafipur, P.S.-Hussainganj, District-Siwan

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Singh
For the Opposite Party/s : Mr.Pradeep Narain Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 02-04-2019 Petitioners seek bail in anticipation of their arrest in connection with Hussainganj P.S. Case No. 282 of 2018, registered for the offences punishable under Sections 147, 148, 149, 341, 323, 307, 504, 506 of the IPC and later on Section 302 IPC was added.

Allegation against the accused persons, including the petitioners is of assaulting the deceased and there is specific allegation against Anil Sah and Banila Sah.

Submission of learned counsel for the petitioners is that so far petitioner No.2 is concerned, no specific allegation has been attributed against him and he is not named in the FIR and his name transpired during course of investigation and, that



too, on the basis of hearsay evidence and so far petitioner No.1 is concerned, though there is allegation against him of assault but that is general in nature.

Heard learned APP and learned counsel for the informant. They have opposed the prayer for anticipatory bail of the petitioners stating that four injuries were found on the person of the deceased.

Having heard both sides and in the facts and circumstances, let petitioner No.2, above named, in the event of arrest or surrender within a period of six weeks from the receipt of this order, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Siwan, in connection with Hussainganj P.S. Case No. 282 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and further condition that one of the bailors of the petitioner shall be a local person having sufficient immoveable properties within the jurisdiction of the court concerned.

So far petitioner No.1 is concerned, he should surrender and make prayer for regular bail, which shall be considered on its own merit, without being prejudiced by this



order.

This application is, accordingly, disposed of.

(Vinod Kumar Sinha, J)

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