

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15654 of 2019

Arising Out of PS. Case No.-331 Year-2018 Thana- KATEYA District- Gopalganj

1. JAYASHREE SAH Son of Mangal Sah R/o village- Panchdewari, P.S.- Kateya, District- Gopalganj
2. Harihar Sah Son of Mangal Sah R/o village- Panchdewari, P.S.- Kateya, District- Gopalganj
3. Hari Shankar Sah Son of Mangal Sah R/o village- Panchdewari, P.S.- Kateya, District- Gopalganj
4. Basistha Sah @ Basit Sah Son of Moti Sah R/o village- Panchdewari, P.S.- Kateya, District- Gopalganj
5. Madan Sah Son of Late Yamuna Sah R/o village- Panchdewari, P.S.- Kateya, District- Gopalganj
6. Ramesh Sah Son of Nathuni Sah R/o village- Panchdewari, P.S.- Kateya, District- Gopalganj
7. Suresh Sah @ Sumesh Sah @ Sunesh Sah Son of Nathuni Sah R/o village- Panchdewari, P.S.- Kateya, District- Gopalganj

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhramveer
For the Opposite Party/s : Mr.Rajesh Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 26-03-2019 This application, for grant of anticipatory bail, arises out of Kateya P.S. Case No. 331/18, disclosing offences under Sections 341, 323, 324, 307, 379, 504/34 of the Indian Penal Code.

Allegation against the petitioner and others is that they came variously armed and started assaulting the informant and others causing injuries to them. There is specific allegation



of assault against co-accused Manik Chandra and Rajesh Sah as well as petitioner no. 4, who is said to have assaulted the son of informant on his head by means of iron rod.

Submission of learned counsel for the petitioners is that there is case and counter case between the parties and the case filed by the petitioners' side is earlier to that filed by the informant. Further, there is no injury report available on record, which will appear from the impugned order itself.

Heard learned A.P.P. also.

Having heard both sides, so far petitioner no. 4 is concerned, I am not inclined to grant the privilege of anticipatory bail rather he should surrender and make prayer for regular bail, which will be dispose of by the court below on the merit of the case without being prejudiced by the order of this Court.

So far other petitioners are concerned, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned ACJM -XV, Gopalganj, in connection with Kateya P.S. Case



No. 331/18, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

With the above observation and direction, this application is disposed of.

(Vinod Kumar Sinha, J)

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