

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25325 of 2019

Arising Out of PS. Case No.-95 Year-2018 Thana- BAIKUNTHPUR District- Gopalganj

1. AWADH BIHARI SAH, Son of Late Ram Ayodhya Sah
2. Mukesh Sah @ Mukesh Kumar, S/o Awadh Bihari Sah
Both resident of Village - Pipra, P.S.- Baiunthpur, Distt.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Harendra Prasad
For the Opposite Party/s	:	Mr.Umesh Lal Verma

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 30-07-2019 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners, in the present case, are seeking anticipatory bail in connection with Baikunthpur P.S. Case No.95 of 2018 registered for the offence punishable under Sections 341, 323, 38, 379, 504 and 506/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that these petitioners and the informant are co-sharers and from the FIR itself it is apparent that because of some land dispute the alleged occurrence took place, however, in the FIR there is no specific allegation against these petitioners. It is submitted that even the learned Sessions Judge has recorded in the impugned order that



in the case diary the prosecution has failed to bring the material on the record.

Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners, however, he is unable to show that in course of investigation any material has come to attribute the assault to these petitioners.

In the given facts and circumstances of the case where there is no specific allegation against the petitioners, they are co-sharers and the dispute seems to have taken place over a land issue, let the petitioners above named, in case of their arrest or surrender within four weeks from today in connection with Baikunthpur P.S. Case No.95 of 2018, be released on bail on execution of bail bonds of Rs. 15,000/- (fifteen thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Gopalganj, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajeev Ranjan Prasad, J)

arvind/-

U		T	
---	--	---	--

