

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51342 of 2019

Arising Out of PS. Case No.-496 Year-2018 Thana- SAHARSA District- Saharsa

1. Sunil Sah @ Sunil Kumar Sah, Son of Ramdev Sah Resident of Village and P.S. - Lokaha, District- Supaul
2. Anil Kumar Sah, Son of Ramdev Sah Resident of Village and P.S. - Lokaha, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhav Jha

For the Opposite Party/s : Mr.Suman Kumari Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 19-08-2019 Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

Petitioners apprehend their arrest in connection with Saharsa Sadar P.S. Case No.496 of 2018 for the offence punishable under Sections 341, 323, 308, 379, 34 of the Indian Penal Code.

The allegation against the petitioners as per the First Information Report is that petitioners along with co-accused Pawan Kumar Sah and others pressurized his father Kamleshwar to transfer land and property in his name. It has further been alleged that upon which the father of the informant told the co-accused Pawan Kumar Sah that the property would



be divided equally between all the brothers, upon this co-accused Pawan Kumar Sah assaulted the informant with the butt of pistol and the petitioners along with other co-accused caught the informant.

Learned counsel for the petitioners submits that petitioners have falsely been implicated in this case on a concocted story inasmuch as the informant and the co-accused Pawan Kumar Sah are full brothers. Learned counsel further submits that petitioners are brother-in-law of the co-accused Pawan Kumar Sah and there is family dispute between the informant and co-accused Pawan Kumar Sah in which the petitioner has unnecessarily been dragged. Learned counsel further submits that there is no allegation of assault upon the petitioners.

After having heard learned counsel for the petitioners as well as learned counsel appearing on behalf of the State and taking into consideration the fact that no specific allegation of assault is upon the petitioners and further petitioners are the brother-in-law of the co-accused Pawan Kumar Sah who allegedly assaulted the informant, as such, I am inclined to grant anticipatory bail to both the petitioners.

Accordingly, both the petitioner, above named, are



directed to surrender before the learned Court below within a period of four weeks from today and in the event of surrender by them, they shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Saharsa, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

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