

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.73303 of 2018

Arising Out of PS. Case No.-143 Year-2018 Thana- RANIGANJ District- Araria

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1. Bholu Sah @ Ram Sushil Sah, S/o Late Ramasray Sah.
 2. Jitendra Sah, S/o Late Ramasray Sah
 3. Suraj Sah, S/o Modo Sah, All Residents of Village-Hasanpur, Ward No.8, P.S. Raniganj, District-Araria.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr.Gopal Kumar Jha
For the Opposite Party/s	:	Mr.Rajendra Nath Jha
For the Informant	:	Mr. Shiv Shankar Sah

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 25-01-2019 Petitioners apprehend their arrest in connection with Raniganj P.S. Case No. 143 of 2018 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 307, 379, 504 and 506 of the Indian Penal Code.

Allegation against petitioner No.1 is that he has taken the informant along with him and thereafter he and other accused persons assaulted him and also snatched money from him. There is specific allegation against petitioner No.1 that he assaulted by rod.

Submission of learned counsel for the petitioners is that they have falsely been implicated in this case and there is no allegation of assault against petitioner Nos. 2 and 3.



Heard learned APP and learned counsel for the informant. They have opposed the prayer for anticipatory bail of the petitioners on the ground that injury was found to be grievous on the person of informant and, that too, on the head.

Having heard both sides and in the facts and circumstances, let petitioner Nos. 2 and 3, 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 bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Araria, in connection with Raniganj P.S. Case No. 143 of 2018, G.R.No. 1523 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 petitioners shall be a local person having sufficient immoveable properties within the jurisdiction of the court concerned.

So far petitioner No.1 is concerned, in the facts and circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail to him. He should surrender and make prayer for regular bail, which shall be considered on its own merit, without being prejudiced by this order.



With the above observation, this application is
disposed of.

(Vinod Kumar Sinha, J)

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