

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66079 of 2019

Arising Out of PS. Case No.-74 Year-2019 Thana- MAHESI District- East Champaran

1. CHANDRIKA SAH Son of Late Harihar Sah Resident of Rangrej Chapra, P.S.-Mehsi, District-East Champaran.
2. Mukesh Kumar Son of Chandrika Sah Resident of Rangrej Chapra, P.S.-Mehsi, District-East Champaran.
3. Ruplal Sah Son of Jhojha Sah Resident of Rangrej Chapra, P.S.-Mehsi, District-East Champaran.
4. Deepak Sah @ Deepak Kumar Son of Motilal Sah Resident of Village-Katehan, P.S.-Mehsi, District-East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Patanjali Rishi

For the Opposite Party/s : Mr. Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 03-12-2019 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 147, 148, 149, 341, 323, 324, 325, 307, 354A, 379 and 504 of the Indian Penal code, 1860.

Informant in his written complaint has alleged that on 22.03.2019 at about 11:00 am while he was sitting at his door FIR named accused variously armed came and started abusing and assaulting informant and his family members.



There is specific allegation against petitioner Chandrika Sah of assaulting Rajendra Sah by means of Iron Rod as a result of which his two fingers got fractured. Allegation against petitioner nos. 2, 3 and 4 are general and omnibus in nature and no specific overt act has been alleged against them of causing any assault to anyone. It has been submitted on behalf of the petitioners that they are innocent and have been falsely implicated in this case due to previous enmity. It has been further submitted that the injuries sustained by the informant and others are simple in nature. Petitioners have got no criminal antecedent. There is case and counter case.

Considering the aforesaid facts and circumstances of the case, let the petitioner nos. 2, 3 and 4 be released on anticipatory bail, in the event of their arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bonds of Rs. 20,000/- each with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection Mehshi P.S. Case No. 74 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

So far as petitioner no. 1 Chandrika Sah, is concerned, there is specific allegation of assault, as such I am not inclined



to enlarge the petitioner no. 1 on anticipatory bail.

Hence, the prayer for anticipatory bail of petitioner
no. 1 is hereby rejected.

(S. Kumar, J)

Ranjeet/-

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