

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14817 of 2020

Arising Out of PS. Case No.-72 Year-2019 Thana- PHENHARA District- East Champaran

1. RAM PRAVESH SAH S/o Kapildeo Sah Resident of Village-Rupoliya Tola Vitra Tola, P.S.-Phenhara, District-East Champaran.
2. Indrajeet Sah S/o Kapildeo Sah Resident of Village-Rupoliya Tola Vitra Tola, P.S.-Phenhara, District-East Champaran.
3. Ram Balak Sah S/o Kapildeo Sah Resident of Village-Rupoliya Tola Vitra Tola, P.S.-Phenhara, District-East Champaran.
4. Shail Devi W/o Kapildeo Sah Resident of Village-Rupoliya Tola Vitra Tola, P.S.-Phenhara, District-East Champaran.
5. Draupati Kumari W/o Ram Visvash Sah Resident of Village-Rupoliya Tola Vitra Tola, P.S.-Phenhara, District-East Champaran.

... .. Petitioners.

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dilip Kumar Tondon
For the Opposite Party/s : Mr. Humayun Ahmad Khan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 07-07-2020 This case has been heard through video-conferencing.

Heard learned counsel for the petitioners and
learned A.P.P. for the State.

Learned counsel for the petitioners seeks permission
to withdraw this application submitting that during pendency of
this application the petitioner no.1-Ram Pravesh Sah and
petitioner no.3-Ram Balak Sah have already been apprehended,
as such this application has become infructuous in respect of



aforesaid petitioners.

Permission is granted.

Accordingly, this application, filed for grant of anticipatory bail in respect of petitioner no.1-Ram Pravesh Sah and petitioner no.3-Ram Balak Sah is dismissed as infructuous.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 354 B, 307 and 504/34 of the Indian Penal Code.

On the dispute of parking of Scorpio vehicle on the khatiyani land of the informant as well as khatiyani land of Bindeshwari Sah and Shankar Sah seven named accused persons including the petitioners are said to have abused and assaulted the informant's side and they sustained injuries.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to trivial dispute of parking the vehicle. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. The injuries sustained by the victim are simple in nature. No injury has been found on the vital part of the body. Petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the



case, let the above named petitioners, except petitioner nos.1 & 3, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, 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 the learned A.C.J.M.-12, East Champaran at Motihari in connection with Fenhara P.S. Case No.72 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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