

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14885 of 2020

Arising Out of PS. Case No.-821 Year-2019 Thana- KHAGARIA District- Khagaria

1. UPENDRA SADA Son of Late Chulhai Sada Resident of Village - Lakshminiya, P.S. - Gangaur, District - Khagaria.
2. Ashok Sada Son of Upendra Sada Resident of Village - Lakshminiya, P.S. - Gangaur, District - Khagaria.

... .. Petitioners.

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh

For the Opposite Party/s : Mrs.Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 10-09-2020 This case has been heard through video-conferencing.

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

The petitioners apprehend their arrest in a case
registered for the offences punishable under Sections 147, 148,
341, 323, 324, 504, 379 & 307 of the Indian Penal Code.

While the informant was inside her house, all the
named accused persons including the petitioners came and told
the informant that you tried to be Netain and helped the police,
which was opposed by the informant and all the accused persons
started abusing and assaulted the informant by means of lathi



and danda. When her husband rushed in her rescue, Rajendra Sada assaulted him by means of iron rod causing head injury to him. Thereafter, Lakhan Sada assaulted him by means of sharp cutting weapons causing injury in right ear. When the son of the informant rushed in rescue, the petitioner no.1 assaulted him by means of lathi causing him head injury. Petitioner no.2 has also assaulted by means of bricks. Ahilya Devi snatched the earring from the informant.

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 dirty village politics. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. In fact, petitioners and informant side are next door neighbours and there was a free fight between both sides and both sides have sustained injury. It is further submitted that the injury sustained by the victims are simple in nature. Similarly situated co-accused, namely, Maheshwar Sada and others have been enlarged on anticipatory bail by a co-ordinate bench of this court vide order dated 02.07.2020 passed in Cr. Misc. No. 14976 of 2020. Petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the



case, let the above named petitioners, 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 Chief Judicial Magistrate, Khagaria in connection with Khagaria (Gangaur) P.S. Case No.821 of 2019, G.R. No.3232 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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