

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83676 of 2019

Arising Out of PS. Case No.-456 Year-2019 Thana- SARAIYA District- Muzaffarpur

1. Baidhnath Sah @ Baijnath Sah S/o Late Rajdeo Sah Resident of Village-Bhatauliya, P.S.- Saraiya, Dist- Muzaffarpur.
2. Tuntun Sah S/o Baidhnath Sah @ Baijnath Sah Resident of Village-Bhatauliya, P.S.- Saraiya, Dist- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Yugal Kishore

For the Opposite Party/s : Mr.Bharat Bhushan(App156)

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 04-03-2020 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners have filed the instant application for grant of anticipatory bail apprehending their arrest in connection with Saraiya P.S. Case No.456 of 2019 registered for the offence under sections 341, 342, 447, 323, 324, 325, 307, 427, 379, 504 and 34 of the Indian Penal Code.

As per allegation in the F.I.R, there were differences between informant, her sister and her brother Rupesh Kumar over immovable property. A Panchayati was also held. It is further stated that during Panchayati, on behalf of her brother the two petitioners as also Ashok Sah allegedly beat them up,



snatched golden chain and also assaulted the uncle of the informant causing injuries.

It is submitted by learned counsel for the petitioners that admittedly from the F.I.R. itself it appears that there is dispute over immovable property between the informant and her brother. The petitioners have been falsely implicated. There is a case and counter case between the parties and the F.I.R. of counter case being enclosed as Annexure-2 to the petition. It is further submitted that the injuries have been found to be simple in nature and these petitioners have no criminal antecedent.

The application for bail has been opposed by learned APP for the State who submits that in course of investigation the injuries have been found to be simple in nature.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of six weeks from today and in the event of their arrest or surrender in connection with Saraiya P.S. Case No.456 of 2019 he will be enlarged on bail on furnishing bail bond of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. 1st,



West, Muzaffarpur subject to the conditions as laid down in
section 438 (2) of Criminal Procedure Code.

(Partha Sarthy, J)

Bibhash/-

U		T	
---	--	---	--

