

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13844 of 2021

Arising Out of PS. Case No.-40 Year-2020 Thana- SASARAM MUFFSIL District- Rohtas

1. Gaya Sah Son of Late Lallu Sah Resident of Village- Amara Talab, P.S. - Sasaram (M), District - Rohtas.
2. Himanshu Kumar Gupta Son of Gaya Sah Resident of Village- Amara Talab, P.S. - Sasaram (M), District - Rohas.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Pandey

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 06-12-2021 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners apprehend their arrest in Sasaram (M)
P.S. Case No.40 of 2020, registered for the offences punishable
under Sections 341, 323, 325, 307, 504, 506, 379 and 34 of the
Indian Penal Code.

Allegation against the petitioners and others is that
they have indiscriminately assaulted the informant and his son
with *lathi*, *danda* and rod.

Learned counsel for the petitioners submits that the
petitioners are innocent and have falsely been implicated in the
present case. There is case and counter case between the parties.



There is general and omnibus allegation against the petitioners. The parties belong to the same family. It is also submitted that the petitioners have got no criminal antecedent as stated in para 3 of the bail petition.

Learned APP for the State opposed the prayer for anticipatory bail of the petitioner and submitted that the informant received injury on his head due to assault.

Having considered the facts aforesaid, I am not inclined to enlarge the petitioners on anticipatory bail. Accordingly, the prayer for anticipatory bail of the petitioners is rejected.

However, the petitioners are directed to surrender before the learned court below within a period of six weeks from today and the learned court shall consider the prayer for regular bail of the petitioners preferably on the same day without being prejudiced from the order of this Court.

(Anjani Kumar Sharan, J.)

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