

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7770 of 2020

Arising Out of PS. Case No.-382 Year-2019 Thana- BASANTPUR District- Siwan

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1. Suresh Prasad Sah @ Suresh Kumar Sah Son of Late Yamuna Sah Resident of Village - Narharpur, P.S.- Lakari Nawiganj O.P. Bashantpur, District - Siwan
 2. Kundan Sah Son of Late Yamuna Sah Resident of Village - Narharpur, P.S.- Lakari Nawiganj O.P. Bashantpur, District - Siwan
 3. Santosh Sah Son of Yamuna Sah Resident of Village - Narharpur, P.S.- Lakari Nawiganj O.P. Bashantpur, District - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners : Mr.Uday Kumar, Advocate
For the State : Mr.Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 26-10-2021 Heard the parties.

At the very outset, learned counsel for the petitioners prays and is granted permission to withdraw the anticipatory bail application on behalf of petitioner no.1, namely, Suresh Prasad Sah @ Suresh Kumar Sah.

This anticipatory bail application is dismissed as withdrawn so far as petitioner no.1, namely, Suresh Prasad Sah @ Suresh Kumar Sah is concerned.

So far as petitioner nos. 2 and 3, namely, Kundan Sah and Sanotsh Sah are concerned, they apprehend their arrest in connection with Basantpur P.S. Case No. 382 of 2019 registered for the offences under Section 147, 148, 149, 341, 323, 324, 307, 379 and 504 of the Indian Penal Code.



So far as petitioner no. 2 is concerned, he is alleged to have assaulted the informant with *Farsa* but the injury sustained by the informant cannot be caused by *Farsa* and there is no allegation of assault against petitioner no. 3.

In the aforesaid circumstances, let petitioner nos. 2 and 3, namely, Kundan Sah and Sanotsh Sah, in the event of their arrest or surrender within four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Siwan in connection with Basantpur P.S. Case No. 382 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

In view of the fact that the petitioner no. 1 has not caused any injury on the vital part of the body of the injured and in case petitioner no.1 surrenders and prays for regular bail before the court below within a period of four weeks from today, the court below will consider the petition for regular bail without being prejudiced by the fact that anticipatory bail petition has been dismissed as withdrawn.

(Sandeep Kumar, J)

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