

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20805 of 2021

Arising Out of PS. Case No.-273 Year-2019 Thana- GAUTAMBUDHNAGAR District-
Siwan

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1. JITENDRA SAH @ JITENDRA KUMAR SAH S/o Late Ramakant Sah R/o village - Chaukihasan Bichali Patti, P.S. - G.B. Nagar, District - Siwan.
 2. Satyendra Sah @ Satyendra Kumar S/o late Ramakant Sah R/o village - Chaukihasan Bichali Patti, P.S. - G.B. Nagar, District - Siwan.
 3. Sukhdev Sah @ Sukdev Sah S/o Kanhaiya Sah R/o village - Chaukihasan Bichali Patti, P.S. - G.B. Nagar, District - Siwan.
 4. Premchand Sah S/o Late Manai Sah R/o village - Chaukihasan Bichali Patti, P.S. - G.B. Nagar, District - Siwan.
 5. Shivdeyal Sah @ Shivdyal Sah S/o Late Manai Sah R/o village - Chaukihasan Bichali Patti, P.S. - G.B. Nagar, District - Siwan.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajiv Kumar, Sr. Adv.
For the Opposite Party/s : Mr.Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 15-12-2021 Heard the learned Senior counsel for the petitioners
and the learned A.P.P. for the State.

This is an application for grant of anticipatory bail
in connection with G.B. Nagar PS case no. 273 of 2019
registered for the offences punishable under Section 307 and
other allied sections of Indian Penal Code.

The learned Senior counsel for the petitioners, at
the outset, has submitted that the present case arises out of case
and counter case and members of the petitioners' side have also



been injured. It is also submitted that all the injured persons of the prosecution side have received simple injuries except Aditya Kr. Srivastava who has received grievous injuries, which is attributable to petitioner no. 4 herein, hence the rest of the petitioners may be granted the privilege of anticipatory bail.

At this juncture, it is noteworthy to state that the petitioners had earlier approached this Court for grant of anticipatory bail, however the same was permitted to be withdrawn vide order dated 28.02.2020, passed in Cr. Misc. no. 8683 of 2020.

In such view of the matter, the learned Senior counsel for the petitioners seeks liberty on behalf of the petitioners to surrender before the learned court below and pray for grant of regular bail, however submits that the aforesaid facts and circumstances of the case may be directed to be considered by the learned court below in the right perspective, without being prejudiced by dismissal of the anticipatory bail petitions of the petitioners, either by this Court or by the learned court below, earlier. The learned counsel for the petitioner has further submitted that the learned court below be directed to consider the regular bail petition to be filed by the petitioners herein, expeditiously and within a stipulated time frame, as may be fixed by this Court.



Accordingly, the present petition stands disposed off with a direction to the learned court below to objectively consider the case of the petitioners for grant of regular bail, as and when the occasion so arises, taking into consideration the aforesaid facts and circumstances, as elucidated by the learned Senior counsel for the petitioners and dispose off the same, within a period of one week of filing of an appropriate petition.

(Mohit Kumar Shah, J)

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