

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.3883 of 2021**

Arising Out of PS. Case No.-13 Year-2020 Thana- SIKTA District- West Champaran

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SURAJ KUMAR@SURAJ SAH Son of Harendra Sah Resident of Village-  
Sikra Bazar, Ward No. 3, P.S.- Sikta, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate.

For the Opposite Party/s : Mr. Binod Kumar No.2, APP

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      23-03-2021      Heard learned counsel for the petitioner and learned  
A.P.P. for the State through virtual court proceeding.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in connection with Sikta P.S. Case No. 13 of 2020 registered for the offences punishable under Sections 341, 342, 323, 324, 307, 380, 504/34 of the Indian Penal Code.

As per the prosecution case, the informant and his elder brother, Bhola Sah were assaulted by the accused persons namely Harendra Sah, Suraj Sah by forcibly erecting a wall over



a piece of gairmajarua land. When the informant's brother forbade them from doing so, accused Harendra Sah and Suraj Sah assaulted him with Farsa and Iron rod blow. However, the informant was also assaulted by leg and fists.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case on the ground of land dispute, both sides are on inimical terms. On previous occasion as well, the petitioner's side has lodged Sikta P.S. Case No. 81 of 2019 under Sections 341, 323, 325, 504, 506/34 of the I.P.C, against the present informant and others.

Learned counsel for the petitioner further submits that petitioner's side was peacefully erecting a wall over the gairmajaruwa land which was in their possession. The informant's side forcefully tried to demolish the wall with a view to grab the said land and this is the root cause of the dispute between the parties. He is quite innocent and has been falsely implicated in this case. No incriminating article has been recovered from his conscious physical possession. The allegation levelled against the petitioner is not specific rather general and omnibus in nature.. The petitioner has no criminal antecedent and has been languishing in custody since 02.02.2020.



Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Bettiah, West Champaran in connection with Sikta P.S. Case No. 13 of 2020.

**(Anjani Kumar Sharan, J)**

GAURAV S./-

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