

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3058 of 2021

Arising Out of PS. Case No.-40 Year-2020 Thana- INARWA District- West Champaran

1. RAJESH SAH Son of Chandrika Sah Resident of Village - Khamhiya, P.S. - Inarwa, District - West Champaran.
2. America Sah So of Late Mukhlal Sah Resident of Village - Khamhiya, P.S. - Inarwa, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nishant Kumar Sinha

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 15-07-2021 Heard learned counsel for the petitioners and the State through virtual mode.

Learned counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of four weeks after restoration of normalcy.

The petitioners are apprehending their arrest in a case registered under Sections 341, 323, 324, 307, 379, 504 and 506/34 of the Indian Penal Code.

Allegedly, while the informant was going to sow seed in the field, in the way, he was that the accused persons are trying to capture his Batai land in which, the informant had planted vegetables. On protest, the petitioner No. 1 Rajesh Sah is said to



have assaulted the informant with Kudal due to which, he sustained bleeding injury. Thereafter, elder brother of the informant was also assaulted as a result of which, his teeth were broken. Golden chain and wrist watch of the informant are also said to have been snatched away by the accused persons.

It has been submitted on behalf of the petitioners that the petitioner No. 1 has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have been falsely implicated in the present case. There is case and counter case between the parties. Free fight is alleged to have taken place between the parties. The injury on the side of the accused has not been explained by the prosecution. The prosecution has not come with clean hands.

On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case and also the lockdown, let the petitioners, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on their personal bond to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran in



connection with Inarwa P.S. Case No. 40 of 2020 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioners shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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