

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.4553 of 2021**

Arising Out of PS. Case No.-284 Year-2020 Thana- HAJIPUR SADAR District- Vaishali

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1. Rajesh Sah@ Rajesh Kumar Son Of Late Lal Baboo Sah Resident Of Village- And P.O Gadai Sarai P.S- Sadar District- Vaishali
2. Ram Pravesh Sah Son Of Late Lal Baboo Sah Resident Of Village And P.O Gadai Sarai, P.S- Sadar Distt- Vaishali
3. Ram Saresah Sah @ Ram Shreshtha Sah @ Ram Naresh Sah Son Of Late Lal Baboo Sah Resident Of Village- And P.O Gadai Sarai, P.S- Sadar Distt- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Shiv Kumar  
For the Opposite Party/s : Mr. A.G.

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

3      28-10-2021                      Heard learned counsel for the petitioners and  
  
learned APP for the State.

Learned counsel for the petitioners is expected  
  
to honour his undertaking given in the instant case for  
  
depositing the requisite court fee and to remove the  
  
defects as pointed out by the office when called upon to  
  
do so by the office.

It appears from the order dated 08.10.2021  
  
that petitioner Nos. 1 and 2 have been arrested. Hence,  
  
their applications have been directed to be withdrawn.



The petitioner No. 3 is apprehending his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 323, 307, 504, 506, 354(B) of the Indian Penal Code.

The prosecution case as per F.I.R is that on objection raised by the informant against petitioner No. 1 for using filthy language against him, an altercation took place. It is alleged against the petitioners and others that they assaulted the informant and when the family members of the informant came to his rescue, they were also assaulted. The accused persons also snatched gold ornament and cash of Rs. 500/- from the pocket of the informant.

It is submitted by learned counsel for the petitioners petitioners and the informants are next door neighbour. At earlier point of time, the petitioner No. 1 has filed Sadar P.S. Case No. 292 of 2020 against the informant and others under Sections 147, 148, 149, 341, 323, 307, 379, 504 of the Indian Penal Code.



Hence, in order to save his skin from the case filed on behalf of the petitioner No. 1, this false case has been registered against the petitioners. A statement has been made in para 3 of the petition that petitioners have no criminal antecedents.

In the facts and circumstance of the case, let the petitioner No. 3, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali, Hajipur in connection with Sadar P.S. Case No. 284 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**(Sunil Kumar Panwar, J)**

Shageer/-

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