

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3878 of 2021

Arising Out of PS. Case No.-203 Year-2020 Thana- MAHARAJGANJ District- Siwan

1. DEVENDRA SHAHI Son of Late Ramgati Shahi Resident of Village - Patedha, P.S. - Maharajganj, District - Siwan.
2. Prakash Shahi @ Sanju Shahi Son of Vasishth Shahi Resident of Village - Patedha, P.S. - Maharajganj, District - Siwan.
3. Sandeep Shahi Son of Devendra Shahi Resident of Village - Patedha, P.S. - Maharajganj, District - Siwan.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajesh Kumar Sharma, Adv. Mr. Bipin Bihari Singh, Adv.
For the Opposite Party/s	:	Mr. Ajit Kumar, APP
For the Informant	:	Mr. Arun

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 30-07-2021 Heard Mr. the learned counsel for the petitioners

and the learned APP for the State.

The petitioners seek bail in anticipation of their arrest in connection with Maharajganj P.S. Case No. 203 of 2020 instituted for the offence under Sections 341, 323, 324, 307, 379, 504 and 506/34 of the Indian Penal Code.

The accusation in the First Information Report is that all the accused persons including the petitioners came to the house of the informant and assaulted him.

The informant has received grievous injuries but it



has been urged on behalf of the petitioners that no one from amongst the petitioners is specifically alleged to have assaulted him. The allegations are absolutely general and omnibus. Apart from this, it has been submitted that in the subject F.I.R. there is no reference of the counter case or the injuries on the side of the accused persons of the present case. This makes the correctness of the case of the subject F.I.R. highly suspect. There is a counter version of the occurrence also and this Court has been informed that the accused persons of the counter case have been granted anticipatory bail by the court below. No motive has been assigned in the First Information Report and it appears that both sides have fought against each other and there are injuries on each side.

In that view of the matter, regard being had to the fact that some of the accused persons of this case are also injured and accused person of the counter case have been granted the privilege of anticipatory bail by the court below, the petitioners also are directed to be released on bail, in the event of their arrest or surrender before the court below



within a period of eight weeks from the date of receipt /
production of a copy of this order, on furnishing bail bonds
of Rs. 10,000/- (Rupees Ten Thousand) each with two
sureties of the like amount each to the satisfaction of
learned Judicial Magistrate -1st Class, Siwan in connection
with Maharajganj P.S. Case No. 203 of 2020, subject to the
condition laid down under Section 438 (2) of the Code of
Criminal Procedure.

(Ashutosh Kumar, J)

sunilkumar/-

U		T	
---	--	---	--

