

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3988 of 2022

Arising Out of PS. Case No.-381 Year-2019 Thana- CHAKIA District- East Champaran

1. BINDA SAH Son of Late Badri Sah Resident of Village- Dhobauliya, P.S. Chakia, District - East Champaran.
2. Dwarika Sah Son of Late Badri Sah Resident of Village- Dhobauliya, P.S. Chakia, District - East Champaran.
3. Biran Sah Son of Dwarika Sah Resident of Village- Dhobauliya, P.S. Chakia, District - East Champaran.
4. Vinay Sah Son of Binda Sah Resident of Village- Dhobauliya, P.S. Chakia, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Mukeshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-08-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Learned counsel for the petitioners seeks permission to withdraw the present anticipatory bail application with respect to petitioner no. 1, Binda Sah as he was arrested during pendency of the anticipatory bail application.

Permission is accorded.

The petitioner nos. 2, 3 and 4 apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307, 379, 504, 506 and 34 of the Indian Penal Code.



Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that on orders of Binda Sah, Dheeraj assaulted the informant by sickle and when his son came to save, he was assaulted by Dwarika, Biran and Vinay causing injury, it is next alleged that Vinay snatched chain of the informant's son.

Learned counsel for the petitioners submits that from perusal of the allegation as alleged in the F.I.R. it would manifest that the present occurrence took place on account of dispute relating to land, it is further submitted that the impugned order itself records that paragraphs '70' and '72' of the case diary records that injury suffered by the informal and his son are simple in nature, it is thus submitted that the petitioners are not criminals but on account of dispute relating to land, the present occurrence took place and since injuries are simple as such petitioners had no intention to commit the serious offence

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioner nos. 2, 3 and 4, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on



anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Chakia P.S. Case No. 381 of 2019 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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