

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5278 of 2022

Arising Out of PS. Case No.-159 Year-2015 Thana- BARGAINIA District- Sitamarhi

1. BINDESHWARI SAH @ BINDESHWARI PRASAD Son of Late Rambriksha Sah @ Vriksh Sah Resident of Village- Pachtaki Yadu, P.S. Bairstania, District - Sitamarhi.
2. Birendra Sah Son of Late Ramswaroop Sah Resident of Village- Pachtaki Yadu, P.S. Bairstania, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Adv
For the Opposite Party/s : Mr. Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 26-07-2022 Heard learned counsel for the petitioners and learned APP for the State.

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

The petitioners apprehend their arrest in a case registered for the offence punishable under section 147, 148, 149, 341, 323, 324, 307, 379, 504, 506 of the Indian Penal Code.



Allegedly, the petitioners along with other co-accused persons abused and assaulted the the informant by means of several weapons.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and has committed no offence. They have been falsely implicated in this case due to previous enmity. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. There is a case and counter case between the parties. There is an admitted land dispute between the parties. Both parties sustained injury in the alleged occurrence. The injuries are simple in nature. Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case since the injuries are simple in nature, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty 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 Bairgania P.S.
Case No. 159 of 2015, subject to the conditions as laid down
under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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