

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16206 of 2021

Arising Out of PS. Case No.-118 Year-2020 Thana- MANJHI District- Saran

1. Saroj Sah, Male, Male, aged about 33 years, Son of Late Sawalia Sah
2. Nand Kumar Sah @ Daily Sah, Male, aged about 40 years, Son of Ramayan Sah
3. Raju Kumar Sah, Male, aged about 24 yeasers, Son of - Krishna Sah
4. Amarjeet Sah, Male, aged about 28 years, Son of - Late Prabhu Nath Sah
All Resident of Village- Dumri, P.S.- Manjhi, Dist- Saran At Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha, Adv.
For the Opposite Party/s : Ms. Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 04-03-2022 Mr. Chandra Mohan Jha, the learned counsel for the petitioner seeks permission to withdraw this application with respect to petitioner no.2 who has been arrested during the pendency of this bail petition.

Accordingly, the application with respect to the petitioner no.2 is dismissed as having become infructuous.

The petitioner nos. 1, 3 & 4 seek bail in connection with Manjhi P.S. Case No. 118 of 2020 dated 19.05.2020 instituted for the offences under Sections 341, 323, 324, 307, 354, 385, 427, 34 of the Indian Penal Code.



Though there is accusation against the petitioners in the F.I.R. of having assaulted the members of the prosecution party at the time of construction of a house but the learned counsel for the petitioners has submitted that the accusation is absolutely general and omnibus.

There is a counter version of the case also lodged by one Tetari Devi who is the wife of one of the co-accused persons of this case.

A land dispute between the parties is pending for a long time and a proceeding under Section 144 of the Cr.P.C. was also initiated between them.

There is a dispute regarding claim over the land in question where the construction is said to have commenced by the Informant. The injuries received by almost all the victims have been reported to simple in nature and caused by hard and blunt substance.

On the basis of aforestated facts, Mr. Jha, learned counsel for the petitioners has tried to argue that the offence under Section 307 of the I.P.C. cannot be said to have been made out.

For the aforementioned facts and taking into account that



the petitioner nos. 1, 3 & 4 have clean antecedent, they are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate 14th, Saran at Chapra in connection with Manjhi P.S. Case No. 118 of 2020 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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