

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11260 of 2022

Arising Out of PS. Case No.-145 Year-2021 Thana- JOGAPATTI District- West Champaran

1. SARYUG SAH @ SURJUG SAH Son of Late Bhola Sah Resident of Village- Sehudwa, P.S.- Yogapatti, Distt.- West Champaran.
2. Munna Sah Son of Saryug Sah @ Sarjug Sah Resident of Village- Sehudwa, P.S.- Yogapatti, Distt.- West Champaran.
3. Kumari Devi W/o Saryug Sah @ Sarjug Sah Resident of Village- Sehudwa, P.S.- Yogapatti, Distt.- West Champaran.
4. Meena Devi W/o Munna Sah Resident of Village- Sehudwa, P.S.- Yogapatti, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra

For the Opposite Party/s : Mr. Dr. Ajeet Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-08-2022 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 25(1-b) a, 26, 35 of the Arms Act.

Allegedly, one country made pistol, two country made



katta, one dab, one knife, two dagger, mobile phones, live cartridges has been recovered from the house of one Manoj Sah. The informant alleged that when Manoj Sah was asked to put his signature on the seizure list, then the petitioners along with other co-accused persons surrounded the police vehicle and got Manoj Sah released from the police custody.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. 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. No firearm has been recovered from the possession of any of these petitioners. The petitioners are made accused in the present case because they are the family members of the co-accused Manoj Sah. The co-accused Manoj Sah is already in judicial custody. Petitioners have one criminal antecedent, which is also mentioned in para-3 of the bail application.

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

Having regard to the facts and circumstances of the case, since no firearms has been recovered from the possession of the



petitioners, 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 Yogapatty P.S. Case No.145 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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