

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20985 of 2021

Arising Out of PS. Case No.-185 Year-2020 Thana- SONBERSA District- Sitamarhi

1. RAUSHAN KUMAR Son of Indal Das Resident of Village - Dostiya Tola, P.S.- Sonbarsa, Distt.- Sitamarhi.
2. SANTOSH DAS @ SANTOSH KUMAR SON OF INDAL DAS Resident of Village - Dostiya Tola, P.S.- Sonbarsa, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Virendra Kumar
For the Opposite Party/s : Mr. Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

5 24-03-2022 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend arrest in connection with Sonbarsa P.S. Case No. 185 of 2020 registered under Section 307 and other allied sections of the Indian Penal Code.

Learned counsel appearing on behalf of the petitioners submits that petitioners are innocent and have falsely been implicated in the present case. Petitioners have no criminal antecedent. Further he submits that there is no direct allegation against the petitioner no.1 Raushan Kumar.

Learned A.P.P. appearing on behalf of the State vehemently opposed the prayer of petitioner no. 2 Santosh Das



by contending that in the first information report, there is direct allegation of assault by means of iron rod against him. Hence, the petitioner no. 2 Santosh Das does not deserve to be enlarged on anticipatory bail.

Having considered the facts and circumstances of the case and the submissions advanced on behalf of the State, prayer of the petitioner no. 2 Santosh Das @ Santosh Kumar is rejected.

As far as prayer of petitioner no. 1 Raushan Kumar is concerned, he is directed to be released on bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing personal bond to the satisfaction of C.J.M., Sitamarhi in connection with Sonbarsa P.S. Case No. 185 of 2020, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Arvind Srivastava, J)

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