

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26125 of 2021

Arising Out of PS. Case No.-35 Year-2020 Thana- GHORASAHAN District- East
Champaran

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1. Shambhu Sah, S/o Devlal Sah, R/o Dhum Nagar, P.S. Ghorasahan, District E. Champaran.
 2. Lalbabu Sah, S/o Dev Lal Sah, R/o Dhum Nagar, P.S. Ghorasahan, District E. Champaran.
 3. Raj Kumar Sah, S/o Ramashray Sah, R/o Dhum Nagar, P.S. Ghorasahan, District E. Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No 2
For the Opposite Party/s : Mr. Rajendra Prasad Nat

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 18-01-2022 Heard learned counsel for the petitioners and learned
APP for the State through virtual court proceedings.

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

The petitioners apprehend their arrest in Ghorasahan P.S. Case No.35 of 2020, registered for the offences punishable under Sections 447, 342, 323, 324, 307, 379 and 504 of the Indian Penal Code.



The petitioners along with other co-accused persons are said to have assaulted the informant and his family members by means of different weapons.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. It is further submitted that there is case and counter case between the sides. There is land dispute between the parties and both parties have sustained injuries. It is submitted that the injuries are simple in nature. Learned counsel for the petitioners submits that the petitioners have got benefit of Section 41(1) of the Code of Criminal Procedure. Chargesheet has been submitted and cognizance has been taken under non-bailable sections.

Taking into consideration the facts that there is case and counter case on account of land dispute between the parties and petitioners have got benefit of Section 41(1) of the Code of Criminal Procedure, let petitioners, above named, in the event of their arrest or surrender before the learned court below within six weeks from today, be enlarged on bail 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 learned A.C.J.M., 3rd, Sikrahana at Dhaka, East Champaran in



connection with Ghorasahan P.S. Case No.35 of 2020, subject to
the conditions laid down under Section 438(2) of the Code of
Criminal Procedure.

(Anjani Kumar Sharan, J.)

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