

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19064 of 2022

Arising Out of PS. Case No.-144 Year-2021 Thana- CHACKMEHSI District- Samastipur

1. RAM KUMAR SAH @ RAM KUMAR SON OF LATE RAM LAKHAN SAH R/O VILLAGE- BELSANDI, KALYANPUR, P.S.- CHAKMEHSI, DISTRICT- SAMASTIPUR
2. MAHESH SAH @ MAHESH KUMAR SAH SON OF LATE RAM LAKHAN SAH R/O VILLAGE- BELSANDI, KALYANPUR, P.S.- CHAKMEHSI, DISTRICT- SAMASTIPUR
3. UMESH SAH SON OF LATE RAM LAKHAN SAH R/O VILLAGE- BELSANDI, KALYANPUR, P.S.- CHAKMEHSI, DISTRICT- SAMASTIPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lakshmindra Kumar Yadav, Advocate
For the Opposite Party/s : Mr.Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

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

Learned counsel for the petitioners seeks permission
to withdraw the present anticipatory bail application with
respect to petitioner no.1 Ram Kumar Sah @ Ram Kumar.

Permission is accorded.

The petitioner nos. 2 and 3 apprehend their arrest in a
case registered for the offences punishable under Sections 323,
324, 307, 34, 341, 354(B), 379 and 504 of the Indian Penal
Code.



Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and allegation against the petitioner no.2 is of snatching gold chain from the neck of the son of the informant and thereafter it is alleged that all the accused persons, including the petitioners, assaulted Prakash Sah and the opinion with regard to injury has been reserved.

Learned counsel submits that allegation against Mahesh Sah is ornamental and there is a general and omnibus allegation against all the accused persons of assaulting Prakash Sah and as far as allegation of assaulting informant and his son is concerned, the allegation is against Ram Kumar Sah and petitioner no.3. Learned counsel next submits that injury of Ritu Raj and informant are simple in nature.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioner no.2, Mahesh Sah @ Mahesh Kumar Sah, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties



of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Chakmehsi P.S. Case No. 144 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

As far as anticipatory bail application of the petitioner no. 3 is concerned, the Court is not inclined to extend privilege of anticipatory bail to him.

His prayer for bail is thus rejected.

(Satyavrat Verma, J)

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