

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30115 of 2021

Arising Out of PS. Case No.-256 Year-2020 Thana- ROSERA District- Samastipur

1. Santosh Sah @ Santosh Kumar Son of Late Shital Sah Resident of Village - HIRAMIYA, Police Station - Rosera, District - Samastipur.
2. Vikram Kumar Sah Son of Ram Balak Sah Resident of Village - HIRAMIYA, Police Station - Rosera, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ranjit Kumar Yadav, Adv.
For the State	:	Mr. Raj Kishore Singh, APP
For the Informant	:	Ms. Mira Kumari, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 05-01-2022 Heard learned counsel for the petitioners, informant and learned Additional Public Prosecutor for the State through virtual court proceeding.

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

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 147, 307, 323, 341, 354, 379, 427, 449, 504 and 506 of the Indian Penal Code.

Allegation against the petitioners is that they assaulted the informant with intention to kill him on the head by means of



iron rod and khanti.

It is submitted by learned counsel for the petitioners that petitioners are innocent and have been falsely implicated in this case. He submits that the land dispute is going on in between the parties and in this regard Title Suit No. 136 of 2019 is pending before the court of the learned Munsif, Rosera. He submits that both sides have sustained injury and petitioners have no criminal antecedent as stated in para-3 of this application.

Learned APP for the State and informant oppose the prayer for bail and submits that petitioners are the main assailant who assaulted the informant by means of iron rod and khanti. He submits that similarly situated co-accused have been granted regular bail.

Considering the facts and circumstances of the case and the fact that a title suit is pending between the parties, the above named petitioners in the event of their arrest or surrender before the learned Court below within a period of 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 the learned court below where the case is pending/successor court



in connection with Rosera P.S. Case No. 256 of 2020, subject
to the condition as laid down under Section 438 (2) of the
Cr.P.C.

(Anjani Kumar Sharan, J)

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