

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22338 of 2022

Arising Out of PS. Case No.-307 Year-2021 Thana- MOUZAHDIPUR District- Bhagalpur

1. Rohit Sah Son of Rajendra Sah Resident of Village - Kajhichak Dhobia Gali, P.s.- Mojahidpur, Distt.- Bhagalpur.
2. Sourah Sah Son of Pappu Sah Resident of Village - Kajhichak Dhobia Gali, P.s.- Mojahidpur, Distt.- Bhagalpur.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Dr. Manoj Kumar, Advocate.

For the Opposite Party/s : Mr. Anand Mohan Prasad Mehta, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

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

The petitioners seek regular bail in connection with
Mojahidpur P.S. Case No. 307 of 2021 lodged under Sections
341, 323, 307, 504, 506/34 of the Indian Penal Code read with
Section 25(1-b)a of Arms Act.

The prosecution case in short is that, the informant
has alleged that he has visited on 01.11.2021 to Rohit Sah and
demanded his dues of Rs.10,000/- on which the petitioners
became angry on the informant and started abusing in filthy
language, thereafter, they called other accused persons and all
were started threatening the informant. It has been alleged that

co-accused, petitioner no.2 Sourabh Sah has attacked by which the informant injured. It has been further alleged by the informant that the petitioner no.1 has transplanted a Desi Katta with the informant which the informant has handed over to the patrolling party and thereafter, filed the case.

Learned counsel for the petitioners submits that if the statement of F.I.R. is treated to be true then only two allegations are there on the petitioners, one is to talk with the informant in abusive language and second is to put a Desi Kata in the possession of the informant. He also submits that none of the sections of the Indian Penal Code and the Arms Act are attracted against the petitioners in the present case. He further submits that petitioners are in custody since 22.11.2021, charge sheet has already been filed in this case and petitioners having no criminal antecedent.

Learned counsel for the State opposes the prayer for bail but accepts the contents of F.I.R. which has been argued by the petitioner.

In the present facts and circumstances of this case and the submissions made above, let the petitioners above named, be granted bail on furnishing bail bonds of Rs.20,000/- (Rupees Twenty thousand) each with two sureties of the like amount

each to the satisfaction of learned Judicial Magistrate, 1st Class, Bhagalpur in connection with Mojahidpur P.S. Case No. 307 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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