

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21810 of 2022

Arising Out of PS. Case No.-245 Year-2021 Thana- SIDHWALIYA District- Gopalganj

1. SANJAY SAH Son of Ramanand Sah Resident of Village - Barahima, P.S.- Sidhwalia, Distt.- Gopalganj, Bihar.
2. DHANANJAY SAH Son of Ramanand Sah Resident of Village - Barahima, P.S.- Sidhwalia, Distt.- Gopalganj, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Indrajeet Bhushan, Advocate

For the Opposite Party/s : Mr. Raj Kishore Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-11-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 341, 342, 323, 325, 379, 427, 447, 307, 504 and 506 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners have antecedent of one case and the informant alleges that he was intercepted by accused persons, including the petitioners, and was assaulted and thereafter was brought to their campus where Sanjay assaulted him by an iron rod causing fracture of his right leg and took Rs. 5,000/-, further Dhananjaya



assaulted by *lathi* causing fracture of left hand and they also damaged his house.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case, petitioners and the informant are related and are agnates and are having land dispute as pleaded at paragraph '7' of the anticipatory bail application, it is further submitted that the informant of the present case was found involved in theft of three mobile for which Sidhwalia P.S. Case No. 246 of 2021 was instituted by the owner of the shop (Annexure-2 to the anticipatory bail application), it is thus submitted that since informant was found committing theft of mobile and was apprehended and as such was assaulted by the owner and the villagers but petitioners being agnate and having land dispute came to be implicated as the informant took the same as an opportunity to implicate them falsely in the present case. Learned counsel next submits that even presuming what has been alleged is true, without admitting for the purposes of bail anticipatory bail, then though two of the injuries are grievous but then the same are not on the vital part of the body and rest of the injuries are simple in nature, learned counsel further submits that the said injuries were caused on account of assault by the



villagers and the owners of the shop as aforesaid.

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 petitioners above-named, in the event of their 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) 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 Sidhwaliya P.S. Case No. 245 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Rishi/-

U		T	
---	--	---	--

