

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36063 of 2021

Arising Out of PS. Case No.-361 Year-2019 Thana- FORBESGANJ District- Araria

ANURAG KUMAR SAH, aged 28 years (M), Son of Ravindra Prasad Sah,
Resident of Village- Ward No.-24, Bangali Tola, Nagar Parishad, Forbesganj,
P.S.- Forbesganj, Dist- Araria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Ramesh Kumar Singh, Advocate
For the Opposite Party : Mrs. Sangeeta Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-05-2022 A supplementary affidavit has been filed on behalf of
the petitioner. Let it be kept on the record.

In light of the supplementary affidavit, learned
counsel for the petitioner is permitted to make necessary
correction in paragraph no. 3 of the bail application, in course of
the day.

Heard learned counsel for the petitioner and learned
counsel for the State.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the office, within a period
of four weeks.

The petitioner is apprehending his arrest in connection
with Forbesganj P.S. Case No. 361 of 2019 registered for the
offence under Sections 452, 341, 323, 307 and 504/34 of the
I.P.C.



The prosecution story, in brief, is that there is family dispute between the informant and his wife Mamta Kumari and on the alleged date of occurrence, all of a sudden, the sister-in-law (*Sali*) of the informant, namely, Shabnam, came at the house of the informant and started abusing him and threatened to kill. When the informant raised objection, the sister-in-law (*Sali*) of the informant called the F.I.R. named accused persons, namely, Aman Sah @ Banti, Anurag Sah (petitioner) and Bipul Sharma through mobile phone. Upon which, they armed with deadly weapons such as rod, *Lathi-Danda* came on the Motorcycle at his house and started assaulting him with intention to kill by means of sharp cut weapons upon the head of his mother causing her head injury. In course of occurrence, the people of the vicinity came and caught the co-accused Aman Sah, but the rest accused persons managed to escape from there by leaving the *Motorcycle* and *Scooty*. The sister in law (*Sali*) of the informant wants to kill him and grab the property.

It has been submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. General and omnibus allegation has been made against the petitioner. No specific



overt act is alleged against the petitioner. The informant happens to be the *Sadhu* of the petitioner. Due to some family dispute, the present case has been instituted against the petitioner.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of twelve 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 C.J.M., Araria in connection with Forbesganj P.S. Case No. 361 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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