

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35313 of 2021

Arising Out of PS. Case No.-547 Year-2020 Thana- SUGAULI District- East Champaran

1. AWADHESH SAH Son of Bipat Sah Resident of Village - Sripur Batawalia, P.S.- Sugauli, District - East Champaran
2. Munna Sah Son of Awadhesh Sah Resident of Village - Sripur Batawalia, P.S.- Sugauli, District - East Champaran
3. Kaushlaya Devi Wife of Awadhesh Sah Resident of Village - Sripur Batawalia, P.S.- Sugauli, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 45034 of 2021

Arising Out of PS. Case No.-547 Year-2020 Thana- SUGAULI District- East Champaran

1. LOOTAN SAH Son of Bikram Sah Resident of Sripur Bhatawalia, P.S.- Sugauli, District- East Champaran.
2. RUPAM SAH D/o Bikram Sah Resident of Sripur Bhatawalia, P.S.- Sugauli, District- East Champaran.
3. SHIVNATH MAHTO S/o Kamala Mahato Resident of Sripur Bhatawalia, P.S.- Sugauli, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 35313 of 2021)

For the Petitioner/s : Mr. Sunil Kumar No.III, Advocate

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

(In CRIMINAL MISCELLANEOUS No. 45034 of 2021)

For the Petitioner/s : Mr. Sunil Kumar No.III, Advocate

For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 23-06-2022 Vide order dated 13.06.2022 passed in Cr. Misc. No.
45034 of 2021, at para no.3, the learned counsel for the



petitioners had sought for permission to withdraw the petition of petitioner no.1, namely, Lootan Sah.

Accordingly, permission is granted.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 149, 341, 323, 324, 307, 379, 504, 302 and 506 of the Indian Penal Code.

It is a case of assaulting to Jitendra Sah and Shukli Devi by means of axe, lathi, garasi due to which Jitendra Sah succumbed to injuries.

It is submitted by learned counsel for the petitioners that the petitioners have falsely been implicated in this case. He further submits that there is general and omnibus allegation of assault against the petitioners and there is no injury report on the person of injured Shukli Devi. According to post mortem report, only one lacerated wound on head was found while six accused persons assaulted to him.

Learned APP appearing for the State has opposed the prayer for anticipatory bail.

Considering the aforesaid submissions, let the



petitioners, namely, Awadhesh Sah, Munna Sah and Kaushlaya Devi (Cr. Misc. No.35313 of 2021) Rupam Sah and Shivnath Mahto (Cr. Misc. No. 45034 of 2021) in the event of their arrest or surrender before the court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned CJM Motihari, East Champaran in connection with Sugauli P.S. Case No. 547 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

Brajesh Kumar/-

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