

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30725 of 2022

Arising Out of PS. Case No.-172 Year-2021 Thana- SATHI District- West Champaran

1. Shrawan Sah Son Of Late Dukhi Sah Resident Of Village - Samhauta, P.S. - Sathi, District - West Champaran.
2. Durga Sah Son Of Sri Shrawan Sah Resident Of Village - Samhauta, P.S. - Sathi, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma
For the Opposite Party/s : Mr.Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-09-2022 After some arguments, learned counsel for the petitioners seeks permission to withdraw the application with regard to petitioner no.2.

Permission is granted.

Accordingly, this application is dismissed as withdrawn with regard to petitioner no.2.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State for consideration of bail with regard to petitioner no.1.

Learned counsel for the petitioner 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 petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 143, 341, 323, 324, 325, 447, 307 and 504 of the Indian Penal Code.

Petitioner is said to have assaulted the informant by means of iron rod blow on the head.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that there is case and counter case between the parties and both sides have sustained injury. He submits that the injury found upon the victim is simple in nature. He submits that there is no specific overt act against the petitioner. He further submits that petitioner has no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case and the fact that the injury found upon the victim is simple in nature, let the above named petitioner in the event of his 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) 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 Sathi P.S. Case No. 172 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

Ajay, devendra/-

(Anjani Kumar Sharan, J)

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