

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33501 of 2022

Arising Out of PS. Case No.-147 Year-2020 Thana- DHURAIYA District- Banka

1. Subodh Sah Son Of Late Sero Sah @ Suresh Sah Resident Of Village- Gachiya, Police Station- Dhoraiya, District- Bannka
2. Anil Sah Son Of Late Sero Sah @ Suresh Sah Resident Of Village- Gachiya, Police Station- Dhoraiya, District- Bannka
3. Nitish Sah @ Nitesh Kamar @ Nitesh Kamar Sah Son Of Subodh Sah Resident Of Village- Gachiya, Police Station- Dhoraiya, District- Bannka
4. Mannu Sah @ Mannu Kamar Son Of Subodh Sah Resident Of Village- Gachiya, Police Station- Dhoraiya, District- Bannka
5. Bumbum Sah @ Bumbum Kumar Son Of Subodh Sah Resident Of Village- Gachiya, Police Station- Dhoraiya, District- Bannka
6. Vikash Sah Son Of Kailash Sah Resident Of Village- Gachiya, Police Station- Dhoraiya, District- Bannka
7. Parash Sah Son Of Kailash Sah Resident Of Village- Gachiya, Police Station- Dhoraiya, District- Bannka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Balram Kapri

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 24-11-2022 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 341, 323, 307, 379, 504, 506/34 of the Indian

Penal Code.



Learned counsel for the petitioners seeks permission to withdraw the petition with respect to petitioner Nos. 1 and 2 namely Subodh Sah and Anil Sah since they have been arrested.

Permission is accorded.

Accordingly, the petition with respect to petitioner Nos. 1 and 2 is dismissed as withdrawn.

The prosecution case as per F.I.R is that all the F.I.R named accused persons have assaulted the informant and took away cloths, silver jewellerys of 20 bhar and Rs. 5000/- from the informant. It is specifically alleged that petitioner Nos. 1 and 2 have assaulted the informant with lathi on his head, as a result of which, the informant received head injuries.

It is submitted by learned counsel for the petitioners that in the background of some petty dispute, the present F.I.R has been registered. The specific accusation of assaulting to the informant is against petitioner Nos. 1 and 2 who have been arrested. So far



as other petitioners are concerned, there is general and omnibus allegation against them. Both sides are agnates and there is counter version of the occurrence also. A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.

In the facts and circumstance of the case, let the petitioners, above named, except petitioner Nos. 1 and 2, 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 Thousands) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Dhoraiya P.S. Case No. 147 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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