

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45496 of 2021

Arising Out of PS. Case No.-24 Year-2021 Thana- BATHNAHA District- Sitamarhi

1. Lakshman Sah S/o Saudagar Sah Resident of Khairbi, P.S.- Bathnaha, District- Sitamarhi
2. Santosh Sah S/o Ramlagan Sah Resident of Khairbi, P.S.- Bathnaha, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subodh Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 15-04-2022 Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

Learned counsel for the petitioners 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.

Learned counsel for the petitioners submits that petitioner no.2, Santosh Sah has already been arrested, hence he seeks permission to withdraw the present application with regard to petitioner no.2.

Permission is accorded.

The instant application with regard to petitioner no.2



is dismissed as withdrawn.

So far as petitioner no.1 is concerned, he is apprehending his arrest in a case registered for the offence punishable under Sections 341, 323, 324, 307 and 504/34 of the Indian Penal Code.

The allegation against the petitioners and other co-accused persons is of abusing the informant and assaulting him with lathi, danda and iron rod as a result, he received injury on his head.

It is submitted by learned counsel for the petitioners that petitioner no.1 are innocent and has falsely been implicated in this case. He submits that the allegation against the petitioner, which has been levelled in the background of land dispute, is general and omnibus. There is case and counter case. The informant has received simple injuries. He further submits that petitioner has no criminal antecedent as stated in para-3 of this application.

Learned APP submits that the petitioner no.1 is also involved in the incident, though he fairly submits that the informant has received simple injuries.

Considering the facts and circumstances of the case, the above named petitioner no.1, 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 Bathnaha P.S. Case No. 24 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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