

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44032 of 2022

Arising Out of PS. Case No.-261 Year-2021 Thana- BAIRIYA District- West Champaran

1. PYARE SAH @ PYARELAL SAH SON OF LATE MOTILAL SAH R/O VILLAGE- BAIRIYA CHURIHARWA TOLA, P.S.- BAIRIYA, DISTRICT- WEST CHAMPARAN, BIHAR
2. LAALU SAH @ LAALU KUMAR SON OF PYARE SAH @ PYARELAL SAH R/O VILLAGE- BAIRIYA CHURIHARWA TOLA, P.S.- BAIRIYA, DISTRICT- WEST CHAMPARAN, BIHAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Preety Kunwar, Advocate
For the Opposite Party/s	:	Mr. Pawan Kumar Chaurasia, A.P.P.
		Mr. Anant Kumar Mishra, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 14-12-2022 Heard learned counsel for the petitioners, learned counsel for the informant and learned A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 379, 504, 302 and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and the informant alleges that on account of dispute relating to land Pradeep assaulted Suresh by *Farsa* causing injury on head, further accused persons also assaulted his *Mami* and took Rs. 3,000/- and damaged the shop and petitioner no. 1 snatched chain from the neck of the *Mami* of the informant.

Learned counsel for the petitioners submits that



petitioners have been falsely implicated in the present case, it is next submitted that no overt act has been alleged against the petitioner no. 2 and as far as allegation of snatching the gold chain is alleged, the same is ornamental in order to give serious colour to the case.

Learned A.P.P. for the State and learned counsel for the informant oppose the prayer for anticipatory bail of the petitioners but are not able to rebut the submission of the learned counsel for the petitioners that there is no specific allegation of assault against them.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Bairiya P.S. Case No. 261 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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