

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57908 of 2021

Arising Out of PS. Case No.-169 Year-2021 Thana- BAIKUNTHPUR District- Gopalganj

1. NAND KISHORE SAH Son of Yogendra Shah Resident of Village- Dighwa, P.S.- Baikunthpur, District- Gopalganj.
2. Ranjit Sah Son of Yogendra Sah Resident of Village- Dighwa, P.S.- Baikunthpur, District- Gopalganj.
3. Satendra Sah Son of Yogendra Sah Resident of Village- Dighwa, P.S.- Baikunthpur, District- Gopalganj.
4. Raj Kumar Sah Son of Yogendra Sah Resident of Village- Dighwa, P.S.- Baikunthpur, District- Gopalganj.
5. Lallu Sah Son of Yogendra Sah Resident of Village- Dighwa, P.S.- Baikunthpur, District- Gopalganj.
6. Yogendra Sah Son of Late Ramchandra Sah Resident of Village- Dighwa, P.S.- Baikunthpur, District- Gopalganj.
7. Dharmendra Sah Son of Late Giri Sah Resident of Village- Dighwa, P.S.- Baikunthpur, District- Gopalganj.
8. Satish Sah Son of Late Lalan Sah Resident of Village- Dighwa, P.S.- Baikunthpur, District- Gopalganj.
9. Rishi Sah Son of Late Bunilal Sah Resident of Village- Dighwa, P.S.- Baikunthpur, District- Gopalganj.
10. Nanki Sah Son of Late Tekari Sah Resident of Village- Dighwa, P.S.- Baikunthpur, District- Gopalganj.
11. Vijay Sah Son of Ramjee Sah Resident of Village- Dighwa, P.S.- Baikunthpur, District- Gopalganj.
12. Raju Sah Son of Late Sri Prasad Sah Resident of Village- Dighwa, P.S.- Baikunthpur, District- Gopalganj.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madahav Raj
For the Opposite Party/s : Mr.Rajeev Nayan (App. 231)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 22-08-2022 Heard learned counsel for the petitioners and the
State.



Petitioners apprehend their arrest in a case registered for the offence punishable under Section 341, 323, 379, 435, 447, 307/34 of the Indian Penal Code.

As per the prosecution case, on 03.06.2021 at 12.00 midnight all the FIR named accused persons, including these petitioners, in order to commit dacoity attacked Ishu Sai as a result of which his head got fractured. Thereafter, it is alleged that all the accused persons assaulted the female members and children and took away cash and jewelry and set the house of informant on fire.

Learned counsel appearing for the petitioners submits that petitioners are innocent and have falsely been implicated in the case. Present case is counter blast of Baikunthpur PS case No. 168/n 2021. It is further submitted that informant and petitioners are residents of same village and it is unbelievable that 12-14 persons of the same village committed dacoity in the house of informant without concealing their faces. During course of investigation deceased stated that he went to pacify and in that process he got assaulted. The deceased died during the course of treatment in the jail after four days of the occurrence. Petitioners have got clean antecedent.

Learned counsel appearing for the State opposes the prayer for anticipatory bail.

Considering the facts of the case and clean antecedent



of the petitioners, let the petitioners, above named, in the event of their arrest/ surrender within a period of six weeks from today shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Gopalganj in connection with Baikunthpur PS case No. 169/ 2021, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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