

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47110 of 2022

Arising Out of PS. Case No.-308 Year-2021 Thana- SIKARPUR District- West Champaran

1. PARAS SAH SON OF LATE SITARAM SAH R/O- BINWALIYA, P.S.- RAMNAGAR, DISTRICT- WEST CHAMPARAN
2. SONA DEVI W/O PARAS SAH R/O- BINWALIYA, P.S.- RAMNAGAR, DISTRICT- WEST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Madhura Nand Jha

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 06-12-2022 Heard learned counsel for the petitioners as well as learned APP for the State.

Learned counsel for the petitioners is directed to remove the defects within four weeks.

The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 341, 323, 324, 354, 379, 504, 34 of the Indian Penal Code and later on added section 302 of IPC.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The



allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is no specific overt act against the petitioners. The allegation against the petitioners is that they assaulted the mother of informant but the injuries are simple in nature. He further submits that the specific allegation is against the co-accused namely, Lalbabu Sah to assault the father of the informant (deceased) by means of *farsa*. It is submitted that there is an admitted land dispute between them. There is a case and counter-case between the parties. Petitioners have no criminal antecedent, which is also mentioned in para-3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, as there is no specific overt act against the petitioners and there is a case and counter-case between the parties, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each 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 Shikarpur P.S. Case No.308 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

shikha/-

U		T	
---	--	---	--

