

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50573 of 2022

Arising Out of PS. Case No.-46 Year-2022 Thana- AKBARNAGAR District- Bhagalpur

1. JITENDRA SAH @ JITENDRA KUMAR Son of Janardhan Sah R/V- Rashidpur, Akbarnagar, P.S- Akbarnagar, Distt- Bhagalpur
2. Janardhan Sah Son of Late Banwari Sah @ Banarsi Sah R/V- Rashidpur, Akbarnagr, P.S- Akbarnagar, Distt.- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Swapnil Kumar Singh, Advocate

For the Opposite Party/s : Mr. A.G., A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 20-12-2022 Heard learned counsel for the petitioners 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, 307, 386, 504, 506 and 34 of the Indian Penal Code.

Learned counsel for the petitioners seeks permission to withdraw the present anticipatory bail application with respect to the petitioner No. 2.

Permission is accorded.

The informant alleges that on 16.05.2022, when he was in his shop, when Jitendra Sah came with an Iron Rod and said that for the last six months, extortion amount of Rs. 1 lac



has not been paid despite being demand and, thereafter, Jitendra assaulted him with a sword causing injury on his left hand and when his father came to save him, then Janardhan and his wife along with Khushboo came and Janardhan assaulted his father by a sword causing injury on his left hand and right shoulder, thereafter, the injured were taken to the government hospital.

Learned counsel for the petitioner next submits that the petitioner has antecedent of one case. Learned counsel further submits that the petitioner has been falsely implicated in the present case, it is next submitted that the informant initially alleges that he was carrying an Iron Rod and, thereafter, it is alleged that he assaulted with sword causing injury, it is also submitted that the injury caused to the informant is simple in nature and it is further submitted that title suit is also going on in between the parties, it is further submitted that since the injury is simple which amply demonstrates that there was no intention on the part of the petitioner to commit a serious occurrence.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioner No. 1, 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 Akbarnagar P.S. Case No. 46 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

HarshPandey/-

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