

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66899 of 2021

Arising Out of PS. Case No.-258 Year-2021 Thana- SAUR BAZAR District- Saharsa

1. LAXMAN SAH @ LAXMAN PRASAD @ LAKSHMAN PD. Son of Shri Shiv Narayan Sah @ Shiv Narayan Prasad Resident of Village and P.O.- Pastpar, Hari Nagar Tola, Ward No.10, P.S.- Sour, Bazar, Distt.- Saharsa.
2. Manish Sah @ Manish Kumar Nirala Son of Shri Laxman Sah @ Laxman Prasad Resident of Village and P.O.- Pastpar, Hari Nagar Tola, Ward No.10, P.S.- Sour, Bazar, Distt.- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivpujan Sahay
For the Opposite Party/s : Mr.Umesh Lal Verma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 19-07-2022 It is submitted by learned counsel for the petitioners that during pendency of this application, petitioner no. 2 has been arrested and, as such, he seeks permission to withdraw this application.

In view of the aforesaid submission, this application is dismissed as withdrawn against petitioner no. 2.

So far as petitioner no. 1 is concerned the instant application for anticipatory bail has been filed by the petitioner no. 1 apprehending his arrest in connection with Sour Bazar P.S. Case no. 258 of 2021 instituted for the offence under Sections 341, 323, 307, 504, 506 and 34 of the Indian Penal Code and Section 27 of the Arms Act.



It is a case of assaulting and opening fire. Petitioner Laxman Sah is order giver upon which co-accused Mithilesh Sah and Manish Sah fired upon the brother of the informant which hit below his stomach due to which he fell down and received grievous injury.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. Specific allegation of firing is against Manish Sah and Mithilesh Sah, who are not the petitioner herein. After prevailing good sense, matter has been compromised between the parties and a compromise petition is annexed as Annexure-2 to this petition. Petitioner is a man of clean antecedent.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Sour Bazar P.S. Case no. 258 of 2021, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each



to the satisfaction of learned CJM, Saharsa subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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