

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63294 of 2022

Arising Out of PS. Case No.-318 Year-2022 Thana- HARSIDHI District- East Champaran

1. DEEPAK KUMAR S/o Kanhaiya @ Kanhaiya Sah R/o Village- Lukariya, P.S.- Harsidhi, Distt- East Champaran.
2. Sajan Kumar @ Sajan Kumar Sahani S/o Birendra Sahani R/o Village- Lukariya, P.S.- Harsidhi, Distt- East Champaran.
3. Rahul Kumar S/o Panalal Sah R/o Village- Lukariya, P.S.- Harsidhi, Distt- East Champaran.
4. Manjay Kumar S/o Mohan Sah R/o Village- Lukariya, P.S.- Harsidhi, Distt- East Champaran.
5. Alok Kumar S/o Sanjay Sahani R/o Village- Lukariya, P.S.- Harsidhi, Distt- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No 2, Advocate
For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-12-2022 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 147, 149, 341, 323, 324, 379, 307 and 504 of the Indian Penal Code and Section 27 of Arms Act.

According to prosecution case, the informant Lalbabu Sah stating therein that on 06.07.2022 on the eve of marriage of his daughter, an orchestra program was arranged. In



the said orchestra programme, all the F.I.R. named accused persons started compelling to play filthy songs and when the same was objected by informant, accused persons became angry and this petitioner dashed the informant on ground and accused Sajan assaulted the informant with fist. When the brother-in-law (Bahnoi) of informant, namely, Jodha Sah came to save the informant, this petitioner with an intention to commit murder gave knife blow in his abdomen, causing injury. Thereafter, all the accused persons assaulted the informant and his family members and relatives. Accused Rahul Kumar snatched Rs.20,000/- from the pocket of informant and accused Sandeep Kumar snatched gold chain from the neck of informant. Accused Sajan Kumar Sahani opened firing from gun in air.

It is submitted by learned counsel for the petitioners that petitioners have been falsely implicated in this case and they have no criminal antecedent as mentioned in Para-3 of this application. He further submits that the allegation levelled against the petitioners is not specific rather general and omnibus in nature. He further submits that petitioner no.1 and informant side are own gotiya and next door neighbour and there is land dispute between the parties.

Having regard to the facts and circumstances of the



case, 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 lower Court where the case is pending/successor Court in connection with Harsidhi P.S. Case No. 318 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

mdrashid/-

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

