

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.87484 of 2019**

Arising Out of PS. Case No.-1340 Year-2018 Thana- SAHARSA SADAR District- Saharsa

1. PRABESH SAH @ PRAVESH KUMAR SAH Son of Mishri Sah
2. Dinesh Sah Son of Mishri Sah
3. Subhash Kumar Sah @ Subhash Kumar Son of Chalitra Sah
4. Birendra Sah Son of Kamali Sah, all Resident of Village-Hasa, Hakpara, Police Station and District-Saharsa.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sanjeev Verma

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

**CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA**  
**ORAL ORDER**

3      18-01-2022                      At the outset, learned counsel for the petitioner submits that petitioner no. 3 namely Subhash Kumar Sah @ Subhash Kumar has been arrested during pendency of this application, and as such, he seeks permission to withdraw this application as against petitioner no. 3.

Permission is granted.

The application, thus, stands dismissed as withdrawn as against petitioner no. 3.

Heard learned counsel for the petitioners and the State.

Petitioners apprehend arrest in connection with Saharsa Sadar P.S. Case No. 1340 of 2018 registered for the offence punishable under sections 341, 323, 379, 384,

504, 506/34 of the Indian Penal Code.

Learned counsel appearing for the petitioners submits that the petitioners have been falsely implicated in this case at the instance of their enemies. The present first information report has been lodged after 2 days of the alleged occurrence without there being any plausible explanation for the delay. No one has sustained any injury. There is admitted land dispute between the parties, as is evident from Annexure-2. Petitioners have no criminal antecedent.

Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioner nos. 1, 2 and 4, above named, in the event of arrest or surrender within a period of four weeks from today, be released on bail on furnishing personal bond to the satisfaction of Chief Judicial Magistrate, Saharsa in connection with Saharsa Sadar P.S. Case No. 1340 of 2018 subject to the conditions laid down under section 438(2) Cr.P.C.

**(Arvind Srivastava, J)**

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