

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.3575 of 2023**

Arising Out of PS. Case No.-87 Year-2022 Thana- MAHESI District- East Champaran

1. RAJA SAH @ RAJA KUMAR SHA S/o Lal Mohan Sah R/o Village- Tarapakar, P.S.- Mehasi, Distt- East Champaran.
2. Ganga Kumari D/o Lal Mohan Singh R/o Village- Tarapakar, P.S.- Mehasi, Distt- East Champaran.
3. Vijay Sah S/o Lakhan Sah Present R/o Village- Tarapakar, P.S.- Mehasi, Distt- East Champaran. Permanent R/o Village- Sahebganj, P.S.- Sahebganj, Distt- Muzaffarpur.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr.Binay Kumar, Advocate

For the Opposite Party/s : Mr.Awadhesh Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

2      15-05-2023                      Heard learned counsel for the petitioners, learned counsel for the informant and learned APP for the State.

The petitioners, in the present case, are seeking pre-arrest bail in connection with Mehashi P.S. Case No. 87/2022 registered for the offences punishable under Sections 341, 323, 324, 379, 354B, 307, 504, 506, 34 of the Indian Penal Code. They have no criminal antecedent as stated in paragraph '3' of the application.

As per the prosecution story, the informant has alleged that on 21.04.2022 due to old grudge all the named accused persons and other unknown accused came and started abusing him, when he opposed then Raja Shah hit on his head



by bamboo by which he received head injury. When his brother came to rescue him he was also assaulted by the accused persons.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case. Learned counsel submits that there is case and counter case between the parties.

Learned counsel for the informant has opposed the prayer for anticipatory bail of the petitioners. Learned counsel submits that petitioner no. 1 has assaulted the informant on his head by a bamboo.

Learned A.P.P. for the State has also opposed the prayer for anticipatory bail of the petitioner.

Having regard to the facts and circumstances of the case, the case and counter case between the parties lodged by Annexure '1' and Annexure '2' respectively, all the injuries are simple in nature, the parties are said to have been fighting earlier over some trivial issues, there being no use of fire-arm or any deadly weapon, therefore, this Court directs that in case of their arrest/surrender within a period of four weeks from today, let the petitioners above-named be enlarged on bail on furnishing of bail bond of Rs. 25,000/- (twenty five thousand) each with two



sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran, in connection with Mehasi P.S. Case No. 87/2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajeev Ranjan Prasad, J)**

Rajeev/-

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