

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9515 of 2023

Arising Out of PS. Case No.-109 Year-2022 Thana- MAHESHKHUNT District- Khagaria

1. RAJ KUMAR SAH S/O Late Harihar Sah R/O Village- Salim Nagar, P.S- Mahesh Khunt, District- Khagaria
2. Jai Prakash Sah S/O Late Harihar Sah R/O Village- Salim Nagar, P.S- Mahesh Khunt, District- Khagaria
3. Ram Kumar Sah S/O Late Om Prakash Sah R/O Village- Salim Nagar, P.S- Mahesh Khunt, District- Khagaria
4. Satish Kumar S/O Jai Prakash Sah R/O Village- Salim Nagar, P.S- Mahesh Khunt, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrityunjay Kumar,Adv.

For the Opposite Party/s : Mr.Madan Kumar.APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 19-05-2023 At the outset, the learned counsel for the petitioners submits that the petitioner no.3 has been arrested during the interregnum period, hence the present petition qua the petitioner no.3 has been rendered infructuous.

Accordingly, the present petition qua the petitioner no.3 is dismissed as not pressed.

Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners no. 1, 2 & 4 apprehend



their arrest in connection with Mahesh Khunt P.S. Case No.109 of 2022 (G.R. No.1327/2022) registered for the offences punishable under Sections 342, 323, 324, 325, 379, 504/34 of the Indian Penal Code.

The allegation is regarding the accused persons including the petitioners herein, having intercepted the informant on the alleged date and time of occurrence, while he was going to his shop, whereafter they had assaulted him, resulting in him being injured.

The learned counsel for the petitioners has submitted that the petitioners are innocent, they have been falsely implicated in the present case. The learned counsel for the petitioners has further submitted by referring to the injury report of the informant, annexed as Annexure-2 to the present petition that the injury sustained by the informant, appears to be simple in nature, hence the petitioners be granted the privilege of anticipatory bail.

Per contra, the learned A.P.P. for the State



has vehemently opposed the prayer for grant of anticipatory bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that a general and omnibus allegation has been levelled against the petitioners no.1, 2 and 4, apart from the fact that the injuries sustained by the informant appears not to be very serious, I deem it fit and proper to admit the petitioners herein to the privilege of anticipatory bail.

Accordingly, the petitioners no. 1, 2 and 4, above named, are directed to be released on anticipatory bail in the event of their arrest/surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Khagaria in connection with Mahesh Khunt P.S. Case No.109 of



2022 (G.R. No.1327/2022), subject to the conditions as stipulated under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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