

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11982 of 2023

Arising Out of PS. Case No.-237 Year-2022 Thana- LAXMIPUR District- Jamui

1. KAPIL SAH Son of Late Kishun Sah R/v- Adhadiya, P.S.- Lakshmipur, District- Jamui
2. BIRJU SAH @ BIRAN SAH Son of Late Kishun Sah R/v- Adhadiya, P.S.- Lakshmipur, District- Jamui
3. RANJIT SAH @ RANJIT KUMAR Son of Mahesh Sah R/v- Adhadiya, P.S.- Lakshmipur, District- Jamui
4. MUNIYA DEVI Wife of Mahesh Sah R/v- Adhadiya, P.S.- Lakshmipur, District- Jamui
5. TUSIYA DEVI Wife of Biran Sah R/v- Adhadiya, P.S.- Lakshmipur, District- Jamui
6. LAKSHMINIYA DEVI @ LAKSHMI DEVI Wife of Late Kishun Sah R/v- Adhadiya, P.S.- Lakshmipur, District- Jamui
7. RUKAMA DEVI Wife of Kapil Sah R/v- Adhadiya, P.S.- Lakshmipur, District- Jamui
8. LAKSHMI DEVI Wife of Dawlu Sah R/v- Adhadiya, P.S.- Lakshmipur, District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh

For the Opposite Party/s : Mr. Satyendra Narayan Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 21-06-2023 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, 307, 379, 504, 506, 354, 448 of the Indian Penal Code.



The informant alleges that Kapil Sah assaulted Rajkumar Sah with an iron rod causing injury on head and Ranjit Sah has been alleged to be an order giver while Muniaya Devi is alleged to have assaulted Tuntun Sah by sword causing injury on his chest, thereafter, it is alleged that Tusiya, Lakshminiya, Rukama and Lakshmi Devi who were present were also carrying arms.

Learned counsel for the petitioner submits that petitioners are persons with clean antecedent.

Learned counsel for the petitioner next submits that as far as petitioner No. 5 to 8 are concerned, they are not alleged with any overt act, it is next submitted that Ranjit has been falsely implicated by alleging that he is an order giver and while Muniya Devi is alleged to have assaulted Tuntun by sword but then the injuries suffered by him is caused by hard and blunt substance and Kapil Sah had also suffered injury.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners and submits that Rajkumar suffered grievous injury on head which is vital part of the body.

Considering the submission, the Court is not inclined to extend the privilege of anticipatory bail to Kapil Sah.

Accordingly, the present anticipatory bail



application stands rejected with respect to petitioner No. 1.

While other petitioner nos. 2, 3, 4, 5, 6, 7 and 8, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Lakshmipur P.S. Case No. 237 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

HarshPandey/-

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