

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17719 of 2023

Arising Out of PS. Case No.-270 Year-2021 Thana- LAUKAHI District- Madhubani

1. SURRENDER SAH @ ANAND KUMAR SAH @ ANAND KUMAR SAHU SON OF BIKRAM LAL SAH R/O VILLAGE- KUSHMAHI, P.S.- ANDHRAMATH, DISTRICT- MADHUBANI
2. DEVANAND SAH @ DEVANAND BHARTI SON OF BIKRAM LAL SAH R/O VILLAGE- KUSHMAHI, P.S.- ANDHRAMATH, DISTRICT- MADHUBANI
3. PRADEEP SAH @ PRADEEP KUMAR SAH SON OF HARI NARAYAN SAH R/O VILLAGE- KUSHMAHI, P.S.- ANDHRAMATH, DISTRICT- MADHUBANI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 25-05-2023 Heard the learned counsel for the petitioners and
the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Laukahi PS case no. 270 of 2021, registered for the offences punishable under Sections 307, 354 and other allied sections of the Indian Penal Code and Section 27 of Arms Act.

The allegation is regarding the accused persons having abused the informant and her husband as also having assaulted them, while they were campaigning on 27.11.2021 for the upcoming Mukhiya election, in which the informant was



also one of the contesting candidate, resulting in them sustaining injuries. It is alleged that one Vikram Lal Sah had fired upon the husband of the informant by pistol leading to the husband of the informant sustaining injuries.

The learned counsel for the petitioners submits that the petitioners are innocent, they have been falsely implicated in the present case and are having a clean antecedent. The learned counsel for the petitioners has further submitted that the petitioners have not been alleged to have engaged in any sort of over act, hence a superfluous allegation has been levelled *qua* them, thus they be granted the privilege of anticipatory bail.

Per contra, the learned APP for the State has vehemently opposed the prayer for 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 that the petitioners have not been alleged to have assaulted either the informant or her husband apart from the fact that they are having a clean antecedent, I deem it fit and appropriate to admit the petitioners to the privilege of anticipatory bail.

Accordingly, the abovenamed petitioners, in the event



of their arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order, are directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of A.C.J.M. 1st, Jhanjharpur, Madhubani in connection with Laukahi PS case no. 270 of 2021, subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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