

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.19975 of 2023**

Arising Out of PS. Case No.-180 Year-2022 Thana- PATEPUR District- Vaishali

1. Mukesh Sah, Son Of Ram Kishun Sah, R/O Village- Bajitpur, P.S.- Patepur, District- Vaishali
2. Vinod Sah, Son Of Ram Kishun Sah, R/O Village- Bajitpur, P.S.- Patepur, District- Vaishali
3. Anarjeet Kumar @ Anarnjeet Sah, Son Of Jinish Lal Sah, R/O Village- Bajitpur, P.S.- Patepur, District- Vaishali
4. Anita Devi, Wife Of Mithilesh Sah, R/O Village- Bajitpur, P.S.- Patepur, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Yugal Kishore, Advocate  
For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR**  
**ORAL ORDER**

2      15-06-2023                      Heard Mr. Yugal Kishore, learned counsel appearing on behalf of the petitioners and the learned APP for the State.

The petitioners apprehend their arrest in connection with Patepur P.S. Case No. 180 of 2022 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 354(B), 307, 379, 325, 504 and 506 of the Indian Penal Code.

It is alleged that all the accused persons including the petitioners armed with deadly weapon attacked at the house of the informant and petitioner no. 2 assaulted the informant by means of *farsa* over his head causing serious injury. It is further alleged that when 'Manisha Kumari', came to save her, accused



‘Mukesh Kumar’ (petitioner no. 1) and ‘Chandan Kumar’ caught hold her with bad intention and outrage her modesty. Petitioner no. 2 (Vinod Sah) assaulted with *lathi* and other accused persons, namely, ‘Anita Devi’, ‘Khusbu Devi’ and ‘Anjali Kumari’ assaulted with leg, fists and danda. Petitioner no. 4 (Anita Devi) snatched the golden chain and fled away.

Learned counsel appearing on behalf of the petitioners submits that admittedly there is a land dispute between the parties, resulting into a free fight causing injury to the persons of the informant. He further submits that so far the injuries sustained to the informant and two other injured are concerned, all are simple in nature. In support of the aforesaid averments, the injury reports have been brought on record by way of Annexure – 2 series. He next submits that the petitioners are not habitual offenders and on account of some trifling matters, this occurrence took place and they undertake that they will fully co-operate in the investigation and will not indulge in intimidating the informant/witnesses and tampering with the evidences.

On the other hand, learned APP for the State vehemently opposes the pre-arrest bail application of the petitioners and submits that the petitioner nos. 3 and 4 are carrying one criminal antecedent.



Regard being had to the submissions made on behalf of the parties and considering the nature of injuries which are simple in nature, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Patepur P.S. Case No. 180 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

**(Harish Kumar, J)**

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