

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20620 of 2023

Arising Out of PS. Case No.-136 Year-2022 Thana- PALANWA District- East Champaran

1. Rajndra Sah @ Rajendra Sah Son Of Late Sahdeo Sah Village- Durganagar Harnahi, Ps -RAXAUL, District -EAST Champaran
2. Suneshwar Sah Son Of Late Sahdeo Sah Village Durganagar Harnahi, Ps Raxaul, District East Champaran
3. Sunil Sah Son Of Suneshwar Sah Village Durganagar Harnahi, Ps Raxaul, District East Champaran
4. Kanhaiya Sah Son Of Late Mahindra Sah Village Durganagar Harnahi, Ps Raxaul, District East Champaran
5. Tejnarayan Sah Son Of Late Mahindra Sah Village Durganagar Harnahi, Ps Raxaul, District East Champaran
6. Bhola Sah @ Vikash Sah Son Of Abhimanu Sah Village Durganagar Harnahi, Ps Raxaul, District East Champaran
7. Bhanu Sah @ Nathuni Sah Son Of Late Ram Janak Sah Village Durganagar Harnahi, Ps Raxaul, District East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar No.III, Advocate
For the Opposite Party/s : Mr. Binod Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 28-06-2023 At the outset, learned counsel for the petitioners seeks permission to withdraw the anticipatory bail application with regard to petitioner No. 3.

Permission is granted.

The anticipatory bail application with regard to petitioner No. 3 is dismissed as withdrawn.

Heard the parties.



Petitioner Nos. 1, 2, 4, 5, 6 and 7 apprehend arrests in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 379, 308, 436, 504, 506 of the Indian Penal Code.

Prosecution case, in brief, is that on the alleged date and time, all the F.I.R. named accused persons including these petitioners came at the door of the informant, looted the household articles and assaulted the informant and his family members by means of *lathi* and fists. It is further alleged that wife of co-accused Abhimanyu Sah poured kerosene and set the house on fire.

Learned counsel appearing for the petitioners submits that allegation of assault is general and omnibus and allegation of setting the house on fire is against wife of co-accused Abhimanyu Sah. Present case is counter blast of Palanwa P. S. Case No. 134 of 2022 which was lodged earlier in time by petitioner No. 5. It is further submitted that injuries allegedly caused by these petitioners are simple in nature.

Considering the aforesaid facts and circumstances, this anticipatory bail is allowed and it is ordered that the above named petitioner Nos. 1, 2, 4, 5, 6 and 7 in the event of their arrest/surrender before the court below within a period of six



weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st Class, Raxaul at Motihari, East Champaran in connection with Palanwa P. S. Case No. 136 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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