

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24159 of 2023

Arising Out of PS. Case No.-361 Year-2022 Thana- MAHISHI District- Saharsa

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1. PANKAJ SAH @ PANKAJ KUMAR GUPTA SON OF VIJAY SAH R/O VILLAGE- MANOWAR, P.S.- MAHISHI (JALAI O.P.), DISTRICT- SAHARSA
 2. ROHIT SAH @ ROHIT KUMAR SON OF PRAMOD SAH R/O VILLAGE- MANOWAR, P.S.- MAHISHI (JALAI O.P.), DISTRICT- SAHARSA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashi Dhar Jha
For the Opposite Party/s : Mr. Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 06-07-2023 Heard learned counsel for the petitioners and learned
APP for the State.

Learned counsel for the petitioners seeks permission to withdraw this application in respect of petitioner no.1, submitting that during pendency of this application petitioner no.1 has already been apprehended by the police.

Permission is granted.

Accordingly, this application is dismissed as withdrawn in respect of petitioner no.1 only.

Now, this application survives only for petitioner no.2.

The petitioner no.2 apprehends his arrest in a case



registered for the offences punishable under Sections 341, 323, 307, 504 & 506/34 of the Indian Penal Code.

The petitioner no.2 in association of other co-accused is said to have assaulted the informant and her family members.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case. The petitioner and the informant are co-villager and there is land dispute exist between them. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The injury sustained by the victim is simple in nature. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Having regard to the facts and circumstances of the case as well as the fact that the injury sustained by the victim is simple in nature, let the above named petitioner no.2, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Mahishi (Jalai



O.P.) P.S. Case No. 361 of 2022, subject to the condition as laid
down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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