

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33558 of 2023

Arising Out of PS. Case No.-47 Year-2023 Thana- SAHEBGANJ District- Muzaffarpur

1. Ram Balak Sah Son of Late Ram Prasad Sah Residents of Village- Dhampur (Dharampur), PS- Sahebganj, District- Muzaffarpur
2. Kanchan Sah son of Late Chintawan Sah Residents of Village- Dhampur (Dharampur), PS- Sahebganj, District- Muzaffarpur
3. Bishundeo Sah son of Kanchan Sah Residents of Village- Dhampur (Dharampur), PS- Sahebganj, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bhavesh Kumar, Advocate
For the Opposite Party/s	:	Mr. Arun Kumar Pandey, A.P.P.
For the Informant	:	Mr. Manoj Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 27-07-2023 At the outset, learned counsel for the petitioners seeks permission to withdraw the anticipatory bail application with regard to petitioner No. 1, namely, Ram Balak Sah.

2. Permission is granted.

3. The anticipatory bail application with regard to petitioner No. 1, namely, Ram Balak Sah is dismissed as withdrawn.

4. Heard learned counsel for the parties.

5. Petitioner Nos. 2 and 3 apprehend arrest in a case registered for the offences punishable under Sections 341, 323, 307, 379, 504, 506/34 of the Indian Penal Code.

6. Prosecution case, in brief, is that one co-accused Abhishek Kumar took Rs. 15,000/- from the informant three years ago and despite several requests he was not returning the



same to the informant. It is alleged that when the informant went to take his money back, then father of Abhishek Kumar, namely, Ram Balak Sah along with other accused persons assaulted the informant on his head by means of iron rod.

7. It is submitted that simple altercation took place between the parties due to money dispute. Specific accusation of assault is against co-accused Ram Balak Sah and so far these petitioners are concerned, there is no allegation of overt act against them. Case and counter case. Petitioners have got clean antecedent.

8. Considering the aforesaid facts and circumstances, this anticipatory bail is allowed and it is ordered that let the above named petitioner Nos. 2 and 3 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, Muzaffarpur in connection with Sahebganj P. S. Case No. 47 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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