

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39234 of 2023

Arising Out of PS. Case No.-213 Year-2022 Thana- SONBERSHA RAJ District- Saharsa

1. Ajay Sah S/O Upendra Sah R/O Village- Behta, Mohanpur, Ward No. 14, P.S- Sonbarsa Raj, Distt.- Saharsa.
2. Upendra Sah S/O Late Bhagwat Sah R/O Village- Behta, Mohanpur, Ward No. 14, P.S- Sonbarsa Raj, Distt.- Saharsa.
3. Mithilesh Sah S/O Sanjay Sah R/O Village- Behta, Mohanpur, Ward No. 14, P.S- Sonbarsa Raj, Distt.- Saharsa.
4. Sanjay Sah S/O Upendra Sah R/O Village- Behta, Mohanpur, Ward No. 14, P.S- Sonbarsa Raj, Distt.- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subesh Sharma

For the Opposite Party/s : Mr.Md. Shakir Ahmad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 17-08-2023 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 147, 149, 341, 323, 324, 307, 379, 325, 354B, 504, 506 of the Indian Penal Code.

3. Petitioners are said to have assaulted informant's side and they also tried to outrage the modesty of Maimun Khatoon.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in



this case due to land dispute. He submits that there is case and counter case between the parties. He submits that the injury found upon the victim is simple in nature. He submits that there is general and omnibus allegation levelled against the petitioners. He further submits that petitioners have no criminal antecedent as stated in para-3 of this application.

5. Learned APP for the State opposing the prayer for bail submits that there is specific allegation against the petitioner no. 2 who assaulted the injured person.

6. Considering the facts and circumstances of the case and the fact that there is general and omnibus allegation against the petitioner nos. 1, 3 and 4, let the above named petitioner nos. 1, 3 and 4 in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each 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 Sonbarsa Raj P.S. Case No. 213 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

7. So far as petitioner no. 2 is concerned, I am not



inclined to enlarge the petitioner no. 2 on bail. Accordingly, his prayer for anticipatory bail is rejected in connection with the aforesaid case.

(Anjani Kumar Sharan, J)

devendra/-

U		T	
---	--	---	--

