

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No 43311 of 2023

Arising Out of PS. Case No.-345 Year-2022 Thana- LAURIA District- West Champaran

1. SANDESH SAH Son of Babunand Sah Resident of Marhiya, ward no. 12, P.S. - Lauriya, Distt. - West Champaran
2. SUKAT SAH Son of Bhagat Sah Resident of Marhiya, ward no. 12, P.S. - Lauriya, Distt. - West Champaran
3. JITESH SAH Son of Late Umesh Sah Resident of Marhiya, ward no. 12, P.S. - Lauriya, Distt. - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

For the Petitioner/s : Mr Bimlesh Kumar Pandey, Advocate
For the Opposite Party/s : Mr Nand Kishore Prasad, APP

CORAM: HONOURABLE MR JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 04-08-2023 Heard learned counsel for the petitioners and the learned APP for the State.

2 The petitioners apprehend their arrest in connection with Lauriya PS Case No 345 of 2022 instituted under Sections 147, 148, 149, 341, 323, 324, 307, 379, 354, 504, 506 of the IPC.

3 As per the prosecution case, the allegation against the petitioners is that they along with other co-accused persons assaulted the informant, his mother, uncle and other persons by iron rod, farsa, lathi causing injuries to them.

4 Learned counsel for the petitioners submits that both the parties are agnates and there is land dispute between them and some altercation took place between them and the petitioners have been falsely implicated in this case. The



allegation of assault by the petitioners is not corroborated by the injury report of the injured. The medical reports show that the injuries are simple in nature caused by hard and blunt substance. The allegation of farsa blow on the mother of the informant is against the co-accused Sunil Sah. It is also submitted that counter case has already been instituted by petitioner No 1 against the informant and others. Petitioners bear clean antecedent.

5 Learned APP opposes the prayer for anticipatory bail.

6 Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the ACJM I, Bettiah, West Champaran in connection with Lauriya PS Case No 345 of 2022, subject to the conditions as laid down in Section 438 (2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

M.E.H./-

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

