

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40706 of 2023

Arising Out of PS. Case No.-157 Year-2022 Thana- SANHAULA District- Bhagalpur

1. MD. SALIM Son of Md. Rajjaq @ Md. Shah Rajjaq Resident of village and P.S.-Sanhoula, District-Bhagalpur
2. MD. RIYAZ Son of Md. Mahmood Resident of village and P.S.-Sanhoula, District-Bhagalpur
3. SUNIL KUMAR Son of Late Lambodar Sah Resident of village and P.S.-Sanhoula, District-Bhagalpur
4. NIRAJ KUMAR Son of Dharmdev Mandal Resident of village-Sikrama, P.S.-Sanhoula, District-Bhagalpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra
For the Opposite Party/s : Mr. Mithlesh Kumar Khare

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-08-2023 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 385, 307, 461, 327, 504, 506 of the Indian Penal Code.

3. The informant alleges that since extortion money was not paid, as such, eight named accused persons including the petitioners came at his shop and started abusing and thereafter, Iliyas broke the glass of the shop and when Sourabh



and Bhibhash came, the accused assaulted them, it is next alleged that Shadab and Aftab assaulted Bhibhash and Sourabh with rod causing injury on their head and son of Gyas Khan assaulted Shankar Thakur and petitioner No. 1 was armed with pistol.

4. Learned counsel for the petitioners submits that petitioner No. 1 has antecedent of three cases and petitioner No. 2 and 3 are persons with clean antecedent and petitioner No. 4 has antecedent of one case.

5. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case, it is next submitted that petitioner No. 3 had filed a writ application before this Court regarding encroachment made by the brother of the informant on account of which, the present false case came to be instituted, it is next submitted that there is no specific allegation of committing any overt act against petitioner No. 2, 3 and 4 and petitioner No. 1 is alleged with ornamental allegation that he was carrying pistol

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

7. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the



event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Sanhoula P.S. Case No. 157 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

HarshPandey/-

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