

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46189 of 2023

Arising Out of PS. Case No.-206 Year-2021 Thana- BHAGWANPUR District- Vaishali

1. Dube Sah, son of Late Ramjee Sah, Village- Ratanpura PS- Bhagwanpur Dist- Vaishali
2. Manish Kumar, son of Dube Sah, Village- Ratanpura PS- Bhagwanpur Dist- Vaishali
3. Vikash Kumar, son of Dube Sah, Village- Ratanpura PS- Bhagwanpur Dist- Vaishali
4. Ashish Kumar, son of Late Tribhuwan Sah, Village- Ratanpura PS- Bhagwanpur Dist- Vaishali
5. Amitesh Sah @ Amitesh Kumar, son of Kamlu Sah, Village- Harpur Kishuni PS- Sakra Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan No.II, Advocate
For the Opposite Party/s : Mr. Anant Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-08-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 324, 447, 308, 379, 504, 506 of the Indian Penal Code.

3. Prosecution case in brief, is that when the informant was sitting at his door, at that time all the accused



persons named in the FIR including the petitioners came at his door and started digging soil with spade. On protest, petitioners along with other co-accused persons assaulted the informant and his family by means of iron deadly weapons.

4. Learned counsel for the petitioner submits that the petitioners are innocent and have falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Specific allegation against the petitioner no.2 of assault the informant by means of knife on his nose. Learned counsel for the petitioner further submits that there is admitted land dispute between the parties. There is case and counter case between the parties.

5. Learned APP for the State opposes prayer for anticipatory bail.

6. Considering the facts and circumstances of the case as also the fact that both the sides have sustained injuries, let the above named petitioners, 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) 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 Bhagwanpur P.S. Case No. 206 of 2021, subject
to the condition as laid down under Section 438 (2) of the
Cr.P.C.

(Anjani Kumar Sharan, J)

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