

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48694 of 2023

Arising Out of PS. Case No.-167 Year-2023 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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1. Harinarayan Sah Son Of Ram Bachchan Sah Resident Of Village-
Balbhadaurpur, Khajuri, P.S.- Kalyanpur, District- Samastipur
 2. Pappu Kumar S/O Anil Sah Resident Of Village- Balbhadaurpur, Khajuri,
P.S.- Kalyanpur, District- Samastipur
 3. Urmila Devi W/O Harinarayan Sah Resident Of Village- Balbhadaurpur,
Khajuri, P.S.- Kalyanpur, District- Samastipur
 4. Ankit Kumar S/O Harinarayan Sah Resident Of Village- Balbhadaurpur,
Khajuri, P.S.- Kalyanpur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Advocate

For the Opposite Party/s : Mr. Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 25-08-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. Learned counsel for the petitioners is permitted to
correct the address of the petitioners in the course of the day.

3. The petitioners apprehend their arrest in a case
registered for the offences punishable under Sections 447, 448,
341, 323, 324, 307, 354, 379, 380, 504/34 of the Indian Penal
Code.

4. As per prosecution case, when the informant was
sitting at her door, these petitioners after forming unlawful



assembly came to her house and started abusing and assaulted the informant's side with deadly weapons and, thereafter, misbehaved with the informant.

5. Learned counsel for the petitioners submits that the petitioners are innocent and has falsely been implicated in this case. He submits that there is case and counter case between the parties, thereafter, the present case is filed by the informant. He further submits that the allegation levelled against the petitioners are not specific rather general and omnibus in nature and there is no specific overt act against the petitioners. Petitioners have no criminal antecedent as mentioned in para 3 of the bail application.

7. Learned APP for the State opposes the prayer for anticipatory bail and submitted that son of the informant has received 10 stitched wound over his head as mentioned in the impugned order.

8. Considering the facts and circumstances of case, I am not inclined to enlarge petitioner nos.1, 2 and 4 (Harinarayan Sah, Pappu Kumar and Ankit Kumar respectively) on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected. However, if the petitioners surrender before the learned Court below within six weeks from



today and seek regular bail, the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order.

9. Considering the facts and circumstances of the case as also the fact the petitioner no.3 is a female, let petitioner no.3 (Urmila Devi), be released on bail, in the event of her 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) 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 Mufassil P.S. Case No. 167 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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