

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51861 of 2023

Arising Out of PS. Case No.-374 Year-2022 Thana- SHAHKUND District- Bhagalpur

1. Manisha Kumari Daughter of Chakradhar Sah, R/o-Mokimpur, P.O.-Mokimpur, P.S.-Shahkund, Distt.-Bhagalpur.
2. Chakradhar Sah Son Of Arjun Sah, R/o-Mokimpur, P.O.-Mokimpur, P.S.-Shahkund, Distt.-Bhagalpur.
3. Arjun Sah Son of Late Akalu Sah @ Akal Sah, R/o-Mokimpur, P.O.-Mokimpur, P.S.-Shahkund, Distt.-Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Adv.
For the Opposite Party/s : Mr. Tapeswar Sharma, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 19-08-2023 Heard learned Counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners are apprehending their arrest in connection with Shahkund P.S. Case No. 374 of 2022 dated 01.11.2022, lodged under Sections 307, 323, 341, 504, 506, 354/34 of the Indian Penal Code.

3. As per prosecution case, the F.I.R. has been lodged against three named accused persons that on 01.11.2022 at about 04.00 p.m. the informant's son and the grand-son of petitioner no.2 quarrel with each other and thereafter all three petitioners entered in the house and started fighting with the informant and



his wife.

4. Learned counsel for the petitioners submits that petitioners are innocent and have not committed any offence. He further submits that all offences are bailable except Sections 307 & 354 of I.P.C. He also submits that from the content of *fardbeyan*, no offence under Section 354 of I.P.C. is made out against the petitioners. He further submits that in the rejection order of anticipatory bail of petitioners, it has been acknowledged by the Court below that injury received by the injured person are simple in nature and, as such, Section 307 of I.P.C. is also not made out against the petitioners. Learned counsel submits that the antecedent of petitioners are clean.

5. Learned A.P.P. for the State opposes the prayer for bail.

6. In the present facts and circumstances, let the above named petitioners be released on anticipatory bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J.-2nd Bhagalpur, in connection with Shahkud P. S. Case No.374 of 2022, subject to the conditions as laid down under Section



438(2) of the Cr.P.C.

(Dr. Anshuman, J.)

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