

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52645 of 2023

Arising Out of PS. Case No.-1218 Year-2018 Thana- SAHARSA SADAR District- Saharsa

1. Ashok Sah @ Ashok Kumar Son Of Gangadhar Sah, Resident Of Village - Kharagpur, Police Station - Saharsa Sadar (SONBERSA Kachahari), District - Saharsa
2. Lalan Sah Son Of Gangadhar Sah, Resident Of Village - Kharagpur, Police Station - Saharsa Sadar (SONBERSA Kachahari), District - Saharsa
3. Ranjan Sah Son Of Gangadhar Sah, Resident Of Village - Kharagpur, Police Station - Saharsa Sadar (SONBERSA Kachahari), District - Saharsa
4. Nandan Sah Son Of Gangadhar Sah, Resident Of Village - Kharagpur, Police Station - Saharsa Sadar (SONBERSA Kachahari), District - Saharsa
5. Gangadhar Sah Son Of Late Jhojhay Sah, Resident Of Village - Kharagpur, Police Station - Saharsa Sadar (SONBERSA Kachahari), District - Saharsa
6. Bandana Devi Wife Of Ashok Sah, Resident Of Village - Kharagpur, Police Station - Saharsa Sadar (SONBERSA Kachahari), District - Saharsa
7. Poonam Devi Wife Of Lalan Sah, Resident Of Village - Kharagpur, Police Station - Saharsa Sadar (SONBERSA Kachahari), District - Saharsa

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satish Kumar Singh, Advocate
For the Opposite Party/s : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

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

2. The petitioners are apprehending their arrest in connection with Saharsa (Sonbarsa-Kachahari) P. S. Case No. 1218 of 2018 registered on 10.11.2018 for the offences punishable under Sections 147, 148, 149, 342, 323, 324, 308, 427, 379, 504 and 506 of the Indian Penal Code.

3. As per the prosecution, FIR has been lodged against 12 named accused persons alleging therein that all accused persons entered in the house of the informant and specific allegation is against Sagar Sah and Raju Kumar to attack on the cousin of the informant by *Farsa* and upon the informant on his head due to which both were injured, against rest there are general and omnibus allegation.

4. Learned counsel for the petitioners submits that both the petitioners and informant's side are adjacent neighbourer, they are known to each other and basically they belongs to same ancestor. Counsel further submits that the same date and place of occurrence, there are two cases, one is Saharsa (Sonbarsa-Kachahari) P.S. Case No.1218 of 2018 and another is Saharsa (Sonbarsa-Kachahari) P.S. Case No.1219 of 2018 filed by the informant and the petitioner's side respectively. Counsel further submits that both the sides were suffered injury. Counsel also submits that neither the petitioners nor the accused persons are basically criminal, rather for petty disputes of land this scuffling took place which resulted into filing of the criminal case against each other.

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

6. In the aforesaid facts and circumstances, let the above-named petitioners be released on bail, in the event of arrest or surrender before the learned Court below within 6 weeks from today, on furnishing bail bond of Rs. 30,000/- (Rupees Thirty Thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate Ist Class, Saharsa in connection with Saharsa (Sonbarsa-Kachahari) P.S. Case No.1218 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C..

(Dr. Anshuman, J.)

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