

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51962 of 2022

Arising Out of PS. Case No.-168 Year-2021 Thana- CHHAURADANO District- East
Champaran

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1. SADHO SAH son of late Bangur Sah Resident of Village - Hiramani, P.S.-
Chhauradano, District - East Champaran.
 2. Arjun Sah son of Sadho Sah Resident of Village - Hiramani, P.S.-
Chhauradano, District - East Champaran.
 3. Sukhari Sah Son of Sadho Sah Resident of Village - Hiramani, P.S.-
Chhauradano, District - East Champaran.
 4. Ram Rati Devi wife of Sadho Sah Resident of Village - Hiramani, P.S.-
Chhauradano, District - East Champaran.
 5. Rani Devi wife of Arjun Sah Resident of Village - Hiramani, P.S.-
Chhauradano, District - East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tej Narayan Singh, Advocate
For the Opposite Party/s : Mr. Prem Kumar Jha, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 08-02-2023 Learned counsel for the petitioners is permitted to

remove the defect(s), as pointed out by the office, if any, within

a period of three weeks from today.

Heard learned counsel for the petitioners and learned

Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case

registered for the offences punishable u/s 341, 342, 323, 324,

307, 379, 504 and 506 read with section 34 of the Indian Penal

Code.

As per the prosecution case, the informant's son

Gufran Alam was returning to his house, in the way the



petitioners surrounded and assaulted with fists and slaps and tied him with rope and snatched a gold chain worth Rs. 48,000/- from his neck. On information two sons of the informant Faisal and Arbaz went there and saw that their brother Guran Alam was tied with rope. On being objected, Arjun sah gave a blow of axe on the head of the informant's son Arbaj but it missed the target and hit his hand causing cut injury on the thumb of his right hand. In that course, the petitioner Sukhari Sah inflicted a blow of sword on Faisal which hit his right hand causing cut injury. When the informant came there, the petitioner Sadho Sah snatched a gold chain worth Rs. 72,000/- from the neck of the informant and the petitioner Ramrati Devi and the petitioner Rani Devi snatched Rupees. 3,000 from the pocket of the informant.

Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. The informant's son Arbaj sustained cut injury on the thumb of his right hand and the other injured had taken medicine from the medical shop and they were not treated by the doctor. The petitioner no. 1 is accused in more criminal case in which he is on bail and the petitioner no. 2 to 5 have no criminal antecedent as stated in para 3 of the bail petition.



Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioners.

Considering the aforesaid facts and circumstances of the case, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned court concerned Raxaul at Motihari in connection with Chhauradano P.S. Case No. 168 of 2021, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

1. The court below shall verify the criminal antecedent of the petitioners and at any stage, if it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

This application stands allowed.

(Chandra Prakash Singh, J)

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