

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53071 of 2023

Arising Out of PS. Case No.-441 Year-2021 Thana- ALOULI District- Khagaria

1. Guneshwar Sah Son Of Bhumi Sah Resident Of Village - Mohra Ghat Paras,
P.S. - Alauli, District - Khagaria
2. Ghuran Sah Son Of Bhumi Sah Resident Of Village - Mohra Ghat Paras,
P.S. - Alauli, District - Khagaria
3. Pankaj Kumar Sah Son Of Supari Sah Resident Of Village - Mohra Ghat
Paras, P.S. - Alauli, District - Khagaria

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh
For the Opposite Party/s : Mr.Rina Sinha

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 31-08-2023 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 147, 148, 149, 341, 323, 325, 324, 307, 379, 504, 506 of the Indian Penal Code and Section 27 of the Arms Act.

3. Allegation against the petitioners is that they along with other accused persons attacked on the informant's father and assaulted him with sharp weapon due to which he sustained injury. They also assaulted the cousin brother of the informant.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in



this case. He submits that petitioner no. 1 and petitioner no. 2 have assaulted by means of iron rod at the hand of cousin brother of the informant as a result of which he received grievous injury in his hand but no specific allegation has been alleged that who is author of alleged injury in both of them. He submits that no any allegation regarding the assault has been alleged against the petitioner no. 3. He further submits that petitioners have one criminal antecedent as stated in para-3 of this application.

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

6. Considering the facts and circumstances of the case and the fact that there is no specific allegation against the petitioner no. 3, let the above named petitioner no. 3 in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail 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 Alauli P.S. Case No. 441 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.



So far as petitioner nos. 1 and 2 is concerned, there is specific allegation of assault against them, I am not inclined to enlarge the petitioners on bail. Accordingly, their prayer for anticipatory bail is rejected in connection with the aforesaid case.

(Anjani Kumar Sharan, J)

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