

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59705 of 2022

Arising Out of PS. Case No.-573 Year-2021 Thana- TURKAULIYA District- East
Champaran

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1. Mahesh Sah @ Mahesh Das, Son Of Moti Lal Sah @ Moti Lal Das Resident Of Village - Hardiya, Police Station - Turkauliya (Raghunathpur O.P.), District - East Champaran.
 2. Dinesh Sah @ Dinesh Das, Son Of Moti Lal Sah @ Moti Lal Das Resident Of Village - Hardiya, Police Station - Turkauliya (Raghunathpur O.P.), District - East Champaran.
 3. Rohit Kumar @ Nanhak Kumar, Son Of Mahesh Sah @ Mahesh Das Resident Of Village - Hardiya, Police Station - Turkauliya (Raghunathpur O.P.), District - East Champaran.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashi Bhushan Pandey
For the Opposite Party/s : Mr.Md. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 9 04-08-2023 1. The learned counsel for the petitioners is permitted to remove the defects, as pointed out by the office, by Tuesday i.e. 08.04.2023.
2. Heard learned counsel for the petitioners and learned A.P.P. for the State.
3. The learned counsel for the petitioners, at the outset, seeks permission to withdraw the present anticipatory bail application with respect to petitioner no.2 (Dinesh Sah @ Dinesh Das).
4. Permission is accorded.



5. Accordingly, instant petition is dismissed as withdrawn with respect to petitioner no.2 (Dinesh Sah @ Dinesh Das).

6. The rest petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 323, 341, 324, 354, 307, 504, 506, 34 of the Indian Penal Code.

7. The learned counsel for the petitioners submits that the petitioners have antecedent of one case and the informant alleges that on account of dispute relating to land, Dinesh Sah assaulted her by sword on orders of Mahesh Sah causing injury on head. Thereafter, Dhanesh Sah assaulted by an iron rod causing injury on head, Munna Kumar and Rohit Kumar tore her clothes.

8. The learned counsel for the petitioners submits that petitioner has been falsely implicated in the present case. It is next submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that petitioner no.1 is alleged to be an order giver and Rohit has been roped with ornamental allegation of tearing the cloth of the informant.

9. Learned A.P.P. opposes the bail application.

10. Considering the submissions made by the



learned counsel for the petitioners, the petitioner nos.1 and 3, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., East Champaran, Motihari in connection with Turkauliya (Raghunathpur) P. S. Case No.573 of 2021, G. R. Case No.4158 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

11. The application stands allowed.

(Satyavrat Verma, J)

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