

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61016 of 2022

Arising Out of PS. Case No.-169 Year-2022 Thana- CHIRAIYA District- East Champaran

1. SHAMBHU SAH Son of Shivpujan Sah RESIDENT OF VILLAGE BELAHI, PO AND PS CHIRAIYA DISTRICT- EAST CHAMPARAN
2. Sajan Sah @ Sajan Kumar Son of Shivpujan Sah Resident of Village- Belahi, P.O and P.S- Chiraiya, District- East Champaran
3. Aakash Kumar Son of Munna Sah Resident of Village- Gokhula, P.O and P.S- Chiraiya, District- East Champaran
4. Baliram Kumar @ Baliram Sah S/O-Munna Sah Resident of Village- Gokhula, P.O and P.S- Chiraiya, District- East Champaran
5. Sudama Sah Son of Late Gajeshwar Sah Resident of Village- Gokhula, P.O and P.S- Chiraiya, District- East Champaran
6. Jeetu Sah Son of Bhuneshwar Sah Resident of Village- Belahi, P.O and P.S- Chiraiya, District- East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pravin Kumar, Adv.

For the Opposite Party/s : Mr.Ganesh Prasad Singh, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 10-01-2023 Heard learned counsel for the petitioners and learned A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Section 341, 323, 324, 325, 354, 379, 504, 506/34 of the Indian Penal Code.

The prosecution story is that petitioners along with other co-accused persons came to the house of informant armed with deadly weapons and assaulted her and her family members.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They



have been falsely implicated in this case due to land dispute. No such occurrence as alleged ever took place. All the allegations levelled against the petitioners are false, fabricated and concocted. There is admitted land dispute between the parties. Both sides have filed cases against each other. Though the allegations against the petitioners is that they assaulted the informant side brutally, but as per the injury report, all the injuries are simple in nature. Petitioner no.6 has no criminal antecedent whereas petitioner nos. 1 to 5 have one criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since all the injuries are simple in nature, let the above named petitioners, be released on 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. 25,000/- (Rupees Twenty Five Thousand) each 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 Chiraiya P.S. Case No. 169 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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