

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54642 of 2022

Arising Out of PS. Case No.-11 Year-2022 Thana- PURNEA SADAR District- Purnia

Shiv Kumar Sah, S/o Ganesh Sah R/o village- Bajrangi Tola, Khuskibagh,
Ward No. 41, P.S.- Sadar, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh, Advocate

For the Opposite Party/s : Mr.Sunil Kumar Pandey, APP

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

ORAL ORDER

2 19-01-2023 Learned counsel for the petitioner 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 petitioner and

learned Additional Public Prosecutor for the State.

The petitioner is apprehending his/her arrest in a

case registered for the offences punishable under Sections

341, 323, 325, 354, 504, 506 and 307 read with Section 34

of the Indian Penal Code.

As per the prosecution case, the informant went to

see her land, all of sudden, the co-accused Chandi Devi

started abusing her. On *hulla*, the husband of Chandi Devi



namely Shiv Kumar Shah and his brother Santosh Sah also reached there. They assaulted the informant and tore her clothes with intent to outrage her modesty. When the informant's brother Ritesh Thakur, Son Nirbhay Kumar and nephew Raju Kumar reached there then the petitioner Shiv Kumar Sah assaulted them with iron rod.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in this case. Nothing has been recovered from the possession of the petitioner. As per injury report of injured Raja Kumar, Nirbhay Kumar and Ritesh Thakur, the injuries are simple in nature caused by hard and blunt substance. The petitioner has got clean antecedent as stated in para 3 of the bail petition.

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

Considering the aforesaid facts and circumstances of the case as well as the injuries being simple in nature, let the above named petitioner, in the event of his arrest/ surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs.



20,000/-(Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Purnea in connection with Sadar P.S. Case No. 11 of 2022, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

The application stands allowed.

(Chandra Prakash Singh, J)

Gautam/-

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