

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56552 of 2023

Arising Out of PS. Case No.-182 Year-2023 Thana- KRITYANAND NAGAR District-
Purnia

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1. SANJAY SAH @ SANJAY KUMAR SAH S/O LATE DOMI SAH R/O VILLAGE- ADAMPUR, PS. K. NAGAR, DIST. PURNEA
 2. RANJIT KUMAR SAH S/O ARBIND SAH R/O VILLAGE- ADAMPUR, PS. K. NAGAR, DIST. PURNEA
 3. MANTU SAH @ MANTU KUMAR SAH S/O LATE DOMI SAH R/O VILLAGE- ADAMPUR, PS. K. NAGAR, DIST. PURNEA
 4. KISHORE SAH S/O ARBIND SAH R/O VILLAGE- ADAMPUR, PS. K. NAGAR, DIST. PURNEA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Bhola Prasad, Advocate
For the State	:	Mr.Rajendra Prasad Nat, APP
For the Informant	:	Ms.Pooja Kumari, Advocate

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 30-08-2023 1. Heard the learned counsel for the petitioners and learned APP for the State as also learned counsel appearing for the informant.

2. This is an application for grant of anticipatory bail in connection with K.Nagar P.S. Case No.182 of 2023, registered for offences under Sections 147, 341, 323, 324, 325, 307, 354, 379, 504 and 506 of the IPC.

3. The allegation is regarding the accused persons, including the petitioners herein having formed an unlawful assembly, whereafter, they had arrived at the house of the



informant, variously armed, whereupon a free fight has ensued and it is alleged that the informant was assaulted by the petitioners and others, apart from the accused persons having also assaulted the other members of the prosecution party.

4. The learned counsel for the petitioners has submitted that the petitioners are innocent, they have been falsely implicated in the present case and they are having a clean antecedent. The learned counsel for the petitioners has further submitted that the injuries whatsoever, sustained by the informant have been found to be simple in nature and a general and omnibus allegation has been levelled against all the accused persons, hence the petitioner be granted the privilege of anticipatory bail.

5. *Per contra*, the learned APP for the State and the learned counsel appearing for the informant Ms. Pooja Kumari have vehemently opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that a general and omnibus allegation has been levelled against all the accused persons, the informant has sustained simple injuries and the present case



arises out of case and counter case, apart from the fact that the petitioners are having a clean antecedent, I deem it fit and proper to admit the petitioners to the privilege of anticipatory bail.

7. Accordingly, the above named petitioners are directed to be enlarged on anticipatory bail, in the event of their arrest or surrender before the court below, within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Purnia, in connection with K.Nagar P.S. Case No.182 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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