

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63466 of 2022

Arising Out of PS. Case No.-8 Year-2022 Thana- WARISNAGAR District- Samastipur

1. MANOJ SAH Son of Vimal Sah R/v- Navtol, P.S.- Waris Nagar, District- Samastipur
2. BHOLA SAH Son of Mukesh Sah @ Chattu Sah R/v- Navtol, P.S.- Waris Nagar, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Mirityunjay Kumar, Adv.
For the State	:	Mr.Anil Kumar, APP
For the Informant	:	Mr.Pramod Kumar Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-02-2023 Heard the parties.

The petitioners apprehend their arrest in a case registered for the offence punishable u/s 147, 149, 341, 342, 323, 307, 302 and 504 of the IPC.

As per the prosecution case, the F.I.R. named accused persons including the petitioners assaulted the family of informant and due to the said assault, father of the informant died during treatment.

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, in the manner as alleged, has ever



taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. It is submitted that the postmortem report has not supported the prosecution case as no external or internal injury was found over the body of the deceased. Petitioners have no criminal antecedent.

Learned APP for the State as well as learned counsel for the informant opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since the postmortem report has not corroborated the prosecution case, 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 WarisNagar P.S. Case No.08 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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