

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66200 of 2022

Arising Out of PS. Case No.-40 Year-2022 Thana- GHANSHYAMPUR District- Darbhanga

1. SANOJ SAHU @ SAROJ SAHU S/O JHAVAR SAHU @ JHAWAR SAHU
Resident of Village- Kumai, P.S.- Ghanshyampur, District- Darbhanga.
2. RAM KUMARI DEVI W/O TRIVENI YADAV Resident of Village- Kumai,
P.S.- Ghanshyampur, District- Darbhanga.
3. RINKU DEVI W/O SHIV NARAYAN YADAV Resident of Village- Kumai,
P.S.- Ghanshyampur, District- Darbhanga.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Prasad
For the Opposite Party/s : Mr.Anil Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 25-02-2023 Heard learned counsel for the petitioners and learned APP
for the State.

Petitioners apprehend their arrest in a case registered for
the offence punishable u/s 341, 323, 324, 326, 307, 504/34 IPC.

As per the prosecution case, F.I.R. named accused
persons poured hot oil and chilli powder upon the informant's
side and assaulted them by lathi and broom.

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 village
politics. 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. There is case and counter-case between the parties. Earlier, the co-accused has filed case against the informant, thereafter, the present F.I.R. has been lodged by the informant. It is submitted that Saroj Sahu and Satya Narayan Yadav are alleged to have thrown hot oil over the body of Firoz but the said Satya Narayan Yadav has already been enlarged on bail by the court below itself. The injury was found to be simple in nature. Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for bail by submitting that according to the F.I.R. itself, allegation against the petitioner no.1 is that he poured hot oil on the body of Firoj.

Having regard to the facts and circumstances of the case, since there is specific allegation against petitioner no.1 namely Saroj Sahu to pour hot oil upon the body of Firoz, I am not inclined to enlarge the petitioner no.1 on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

However, since the injuries are simple in nature, let the above named petitioner nos.2 and 3, 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 Ghanshyampur P.S. Case No.40 of 2022, G.R. No.113/2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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