

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65963 of 2022

Arising Out of PS. Case No.-237 Year-2022 Thana- BAJPATTI District- Sitamarhi

1. RAM LAL SAH SON OF LATE LAXMI SAH R/O VILLAGE-RATWARA, P.S.- BAJPATTI, DISTRICT- SITAMARHI
2. RAJIV SAH @ RAJIV KUMAR SON OF HIRALAL SAH R/O VILLAGE-RATWARA, P.S.- BAJPATTI, DISTRICT- SITAMARHI
3. BECHAN SAH SON OF LATE NATHUNI SAH R/O VILLAGE-RATWARA, P.S.- BAJPATTI, DISTRICT- SITAMARHI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar
For the Opposite Party/s : Mrs. Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-01-2023 Heard the parties.

After some arguments, learned counsel for the petitioners seek permission to withdraw this application as against the petitioner no.3.

Permission is granted.

Accordingly, the instant application as against petitioner no.3 is dismissed as withdrawn.

Now, this application is being heard with regard to the petitioner nos.1 and 2 only.

The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 341, 323, 325,



354(B), 379, 504/34 of the Indian Penal Code.

Allegedly, the petitioners along with other co-accused persons assaulted the informant and her husband by means of several weapons due to which they sustained injuries.

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. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is no specific overt act against the petitioners. He further submits that though the injury of the husband of the informant was found grievous in nature, but there is no specific allegation against the petitioners. Petitioners have one criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, as there is general and omnibus allegation against the petitioners, let the above named petitioner nos.1 and 2, 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 Bajpatti P.S. Case No.237 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Accordingly, this application is partly allowed.

(Anjani Kumar Sharan, J)

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