

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1950 of 2023

Arising Out of PS. Case No.-243 Year-2022 Thana- PATORI District- Samastipur

1. SAKINDRA SAH Son of Chulhai Shah R/o- Bandeeh Asli, P.S.- Shahpur Patori, District- Samastipur
2. DHARMENDRA SAH @ DHARMENDRA KUMAR Son of Chulhai Shah R/o- Bandeeh Asli, P.S.- Shahpur Patori, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Piyush Kumar Pandey, Adv.

For the Opposite Party/s : Mr.Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 05-05-2023 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners apprehend their arrest in connection with Patori P.S. Case No.243/2022, registered for the offence punishable u/s 147, 148, 341, 323, 324, 325, 307, 354, 504, 506/149 of the IPC and section 27 of the Arms Act.

As per the prosecution case, the petitioners along with other accused persons surrounded the informant and attacked her with farsa. It is alleged that he also assaulted the husband of the informant by means of sword and other persons who tried to save her.

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 ulterior motive. No such occurrence, in the manner as alleged, has ever taken place. On a trivial issue of cutting of a pomegranate tree on a public land, an scuffle took place between the parties. Petitioners have also sustained injuries and there is a case and counter-case between the parties. Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for bail by submitting that the injury sustained by one of the injured is grievous in nature and there is specific allegation against the petitioners to assault him.

Having regard to the facts and circumstances of the case and considering the nature of injury, I am not inclined to enlarge the petitioners on bail. The prayer for grant of anticipatory bail on their behalf is hereby rejected.

This application is accordingly dismissed.

(Anjani Kumar Sharan, J)

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