

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69376 of 2022

Arising Out of PS. Case No.-316 Year-2020 Thana- CHIRAIYA District- East Champaran

1. JAGARNATH SAH Son of Late Nathuni Sah Resident of village - Sagardina, P.S.- Chiraiya, District - East Champaran
2. Ranjeet Kumar Son of Jagarnath Sah Resident of village - Sagardina, P.S.- Chiraiya, District - East Champaran
3. Ranjan Kumar Son of Jagarnath Sah Resident of village - Sagardina, P.S.- Chiraiya, District - East Champaran
4. Sujeet Kumar @ Sanjeet Kumar Son of Jagarnath Sah Resident of village - Sagardina, P.S.- Chiraiya, District - East Champaran
5. Lalbabu Sah Son of Late Brijbihari Sah Resident of village - Sagardina, P.S.- Chiraiya, District - East Champaran
6. Om Prakash @ Om Prakash Raj Son of Lalbabu Sah Resident of village - Sagardina, P.S.- Chiraiya, District - East Champaran
7. Aabid Hussain Son of Late Shekh Pir Mohammad Resident of village - Sagardina, P.S.- Chiraiya, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-02-2023 At the outset, learned counsel for the petitioners seeks permission to withdraw this anticipatory bail petition in respect of petitioner no.6, Om Prakash @ Om Prakash Raj.

Permission is accorded.

Accordingly, this anticipatory bail application is dismissed as withdrawn so far as petitioner no.6 is concerned.

However, if petitioner no.6 surrenders before the



learned court below within a period of six weeks from today and prays for regular bail, the learned court below shall consider the prayer for regular bail of petitioner no.6 preferably on the same day without being prejudiced by this order.

Heard both sides.

Petitioners No.1 to 5 and 7 apprehend their arrest in connection with Chiraiya P.S. Case No.316 of 2020, registered for the offences punishable under Sections 341, 323, 325, 504, 379 and 34 of the Indian Penal Code.

The petitioners are said to have assaulted the informant and his father by means of lathi and iron rod causing injuries to them. It is also alleged that the accused persons snatched Rs.5000/- from the pocket.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. The petitioners have got no criminal antecedent as stated in paragraph-3 of the bail petition. It is further submitted that there is general and omnibus allegation against the petitioners. It is submitted that one of the injuries sustained by Uma Shankar Sah, father of the informant was found to be grievous in nature.

Learned APP for the State opposed the prayer for



grant of anticipatory bail to the petitioners.

Taking into consideration the facts aforesaid, let petitioners no.1 to 5 and 7, above named, in the event of their arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bonds of Rs.25,000/- (rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned 4th Additional Chief Judicial Magistrate, Sikrahana at Dhaka, East Champaran in connection with Chiraiya P.S. Case No.316 of 2020, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

S.KUMAR/-

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