

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74907 of 2023

Arising Out of PS. Case No.-447 Year-2023 Thana- DHAKA District- East Champaran

1. Santosh Sah Son Of Mishrilal Sah R/O Village- Chainpur Dhaka, Brahmsthan, Ward No.11, P.S.- Dhaka, District- East Champaran, Motihari
2. Mishrilal Sah Son Of Late Husaini Sah R/O Village- Chainpur Dhaka, Brahmsthan, Ward No.11, P.S.- Dhaka, District- East Champaran, Motihari

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr.Shashi Bhushan Singh, Advocate
For the Opposite Party/s	:	Mr.Syed Ehteshamuddin, APP
For the Informant	:	Mr. Deepali Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 01-12-2023 Heard learned counsel for the petitioners, learned APP for the State and learned counsel for the informant.

2. The petitioners seek bail in Dhaka P.S. case No. 447 of 2023 instituted for the offences under Sections 341, 323, 324, 325, 307, 354(B), 506/34 of the Indian Penal Code.

3. Prosecution allegation, in short, is that the accused persons including the petitioners, variously armed, entered into the house of the informant and assaulted her as also the family members due to which they sustained injuries.

4. It has been submitted on behalf of the petitioners that the petitioners are in custody since 05.08.2023 and petitioner no. 1 has got clean antecedent while petitioner No. 2



has got one antecedent in which he is already on bail. Charge-sheet has been submitted in this case. The petitioners have falsely been implicated in the present case. Learned counsel for the petitioners submits that general and omnibus allegation has been levelled against the petitioners. There is a case and counter case between the parties. No specific overt act is alleged against the petitioners.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case, the period of custody undergone by the petitioner as also the nature of injury, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Dhaka P.S. case No. 447 of 2023.

(Rudra Prakash Mishra, J)

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