

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73255 of 2023

Arising Out of PS. Case No.-457 Year-2023 Thana- LAKHAURA District- East Champaran

1. Rupesh Sah@Dipesh Sah @ Goddi @ Dipesh Kumar Son Of Kanhaiya Sah Resident Of Village- Naurangia, Ps- Lakhaura, Distt- East Champaran
2. Arbind Sah @ Arbind Kumar Son Of Birendra Sah Resident Of Village- Naurangia, Ps- Lakhaura, Distt- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sharda Nand Mishra, Advocate
For the State	:	Mr.Bharat Lal, APP
For the Informant	:	Mr. Rajesh Kumar, Advocate
		Mr. Dhiraj Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 28-11-2023 Heard learned counsel for the petitioners, learned counsel for the informant and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case in connection with Muffasil (Lakhaura) P.S. Case No. 457 of 2023 dated 01.07.2023 registered for the offences punishable u/ss 341, 323, 324, 307, 386, 504 read with section 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner Rupesh Sah demanded extortion money of Rs. 5000/- from the informant but he did not give the said extortion money. For the said reason, the petitioners and the co-accused persons



surrounded the informant while he was at home. Thereafter, Rupesh Sah (petitioner) ordered to assault the informant then the co-accused Mukesh Sah and Arbind Sah (petitioner) slammed the informant on the ground. The petitioners assaulted the informant with knife due to which he sustained injury on his chest. The accused persons fled away from the spot. Thereafter, the informant was taken to the hospital for treatment.

4. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. It is further submitted that the petitioners have no concern with the alleged offence. As per injury report, the injury no. 1 to 3 are simple in nature and injury no. 4 related to the fracture which is said to be grievous in nature. There is no allegation of assault on the head of the informant with knife but the injury is found on his head. The petitioners have one criminal antecedent as stated at para 3 of the bail petition.

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

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be



enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned court concerned, East Champaran, Motihari in connection with Muffasil (Lakhaura) P.S. Case No. 457 of 2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

7. This application stands allowed.

(Chandra Prakash Singh, J)

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