

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74785 of 2023

Arising Out of PS. Case No.-280 Year-2020 Thana- DHORAIYA District- Banka

1. Mukesh Sah @ Patlu Sah @ Pallu Sah @ Patlu Son Of Ram Sundar Sah Resident Of Village - Jonki, Dhoraiya Punsia Road, Ps- Dhoraiya, Distt- Banka
2. Gonu Sah Son Of Mukesh Sah @ Patlu Sah @ Pallu Sah @ Patlu Resident Of Village - Jonki, Dhoraiya Punsia Road, Ps- Dhoraiya, Distt- Banka
3. Manoranjan Sah @ Nantu Sah @ Manoranjan Kumar @ Patlu Sah @ Pallu Sah Son Of Mukesh Sah @ Patlu Sah @ Pallu Sah @ Patlu Resident Of Village - Jonki, Dhoraiya Punsia Road, Ps- Dhoraiya, Distt- Banka

... .. Petitioner/s

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 07-12-2023 Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

3. The petitioners are apprehending their arrest in a case in connection with Dhoraiya P.S. Case No. 280 of 2020 dated 16.10.2020 registered for the offences punishable u/ss 341, 323, 324, 307, 504 and 506 read with section 34 of the Indian Penal Code.



4. As per the prosecution case, the petitioner and the co-accused persons are alleged to have assaulted the informant with iron rod, Bhala, Farsa and lathi when the informant was working in his field. It is further alleged that the petitioner no. 1 also assaulted the informant with lathi.

5. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. There is land dispute between the parties. There is no specific allegation against the petitioners. There is general and omnibus allegation against the petitioners. There is case and counter case between the parties. The informant has sustained a lacerated wound on right side of forehead region and also over occipital region. The petitioners have no criminal antecedent as stated at para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

7. Considering the aforesaid facts and circumstances of the case as well as the allegation being general and omnibus, 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, Banka in connection with Dhoraiya P.S. Case No. 280 of 2020, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

8. This application stands allowed.

(Chandra Prakash Singh, J)

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