

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73646 of 2022

Arising Out of PS. Case No.-229 Year-2022 Thana- KHODAWANDPUR District- Begusarai

1. RAJ KUMAR SAH @ RAJ KR SAH Son of Late Lakhan Sah @ Lakhan Sahu @ Lakhan Sah Resident of Village- Mohanpur, Post- Daulatpur, Ward No.-2, P.S.- Khodawandpur, District- Begusarai
2. SUNIL SAH @ SUNIL KUMAR @ SUNIL KUMAR SAH Son of Raj Kumar Sah @ Raj Kr Sah Resident of Village- Mohanpur, Post- Daulatpur, Ward No.-2, P.S.- Khodawandpur, District- Begusarai
3. SANTOSH KUMAR Son of Raj Kumar Sah @ Raj Kr Sah Resident of Village- Mohanpur, Post- Daulatpur, Ward No.-2, P.S.- Khodawandpur, District- Begusarai
4. KRISHNA KUMAR Son of Raj Kumar Sah @ Raj Kr Sah Resident of Village- Mohanpur, Post- Daulatpur, Ward No.-2, P.S.- Khodawandpur, District- Begusarai
5. ROHIT KUMAR Son of Raj Kumar Sah @ Raj Kr Sah Resident of Village- Mohanpur, Post- Daulatpur, Ward No.-2, P.S.- Khodawandpur, District- Begusarai
6. RAMDANA DEVI Wife of Raj Kumar Sah @ Raj Kr Sah Resident of Village- Mohanpur, Post- Daulatpur, Ward No.-2, P.S.- Khodawandpur, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam, Adv.
For the Opposite Party/s : Mr.Pradeep Narain Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-02-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered
for the offences punishable under Sections 341, 323, 354 (B),
379, 448, 504, 506, 34 of the Indian Penal Code.

Allegedly, the petitioners along with other co-accused



persons dragged the informant and her son out of their house and started assaulting them with lathi-danda. Petitioner Raj Kumar is said to have assaulted over the uterus of the informant causing bleeding therein. Petitioner no. 6 snatched golden chain from the neck of the informant's son. They also threatened the informant of dire consequences in case of filing any application in Janta Darbar.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. No such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. Both the parties are agnates and there is admitted land dispute between the parties. There is inordinate and abnormal delay in lodging the FIR without assigning any plausible and convincing reason for the said delay. From the perusal of the impugned order, it is evident that informant Sarita Devi sustained two injuries. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since there is delay in lodging the FIR, let the above named



petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Khodawandpur P.S. Case No. 229 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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