

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15120 of 2024

Arising Out of PS. Case No.-81 Year-2023 Thana- BAIKUNTHPUR District- Gopalganj

1. Ramavatar Sah S/o Hakim Sah R/o Vill - Sirasa Dhanuktoli, P.S. - Baikunthpur, District - Gopalganj
2. Chathu Sah @ Chhathu Sah @ Hakim Sah S/o Gyani Sah R/o Vill - Sirasa Dhanuktoli, P.S. - Baikunthpur, District - Gopalganj
3. Vikash Master @ Vikash Mahto S/o Rajendra Mahto R/o Vill - Sirasa Dhanuktoli, P.S. - Baikunthpur, District - Gopalganj
4. Lal Bahadur Mahto S/o Shivpujan Mahto R/o Vill - Sirasa Dhanuktoli, P.S. - Baikunthpur, District - Gopalganj
5. Kishun Sah S/o Hakim Sah R/o Vill - Sirasa Dhanuktoli, P.S. - Baikunthpur, District - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar
For the Opposite Party/s : Mr. Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 09-05-2024 1. Heard learned counsel for the petitioners and learned APP for the State, Mr. Rabindra Kumar.
2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 325, 307, 504, 506, , 427, 379 and 34 of the Indian Penal Code.
3. The learned APP for the State, at the outset, submits that from perusal of Para-3 of the anticipatory bail application, it would manifest that the same records that petitioner nos. 1, 3 and 5 are persons with clean antecedent and



petitioner nos. 2 and 4 have been implicated in one case each wherein they are enjoying the privilege of bail, but then details of the case have not been furnished, on which learned counsel for the petitioners seeks permission to withdraw the anticipatory bail application with respect to petitioner nos. 2 and 4.

4. Permission is accorded.

5. It is next submitted that petitioners are persons with clean antecedent and have been falsely implicated in the instant case by the informant. It is next submitted that from side of the petitioners Baikunthpur P.S. Case No. 80 of 2023 dated 10.03.2023 was instituted by Munni Kumari in which the family members of the informant have been implicated as accused for the reason that they acted inappropriately with the ladies member of the petitioners' family, it is next submitted that in order to cover up the misdeeds of his family members, the informant instituted the instant case alleging therein that the accused persons including the petitioners came and assaulted him and when Shekh Rashid came to save him he was also assaulted. It is next submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that the allegation of assault is general and omnibus in nature. It is next submitted that since the female members of the family of the petitioners



were misbehaved by the side of the informant, as such, an altercation had taken place and both sides assaulted each other and from the side of the petitioners also persons have been injured.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

7. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Baikunthpur P.S. Case No. 81 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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