

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11249 of 2024

Arising Out of PS. Case No.-106 Year-2021 Thana- CHERIYA BARIYARPUR District-
Begusarai

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1. Sitaram Sah Son of Ram Balak Sah Resident of Vill.-Mehda Shahpur, P.S.-
Cheria Bariyarpur, Distt.-Begusarai
 2. Sajan Kumar @ Sajan Sah Son of Ram Balak Sah Resident of Vill.-Mehda
Shahpur, P.S.-Cheria Bariyarpur, Distt.-Begusarai
 3. Lalit Sah Son of late Munsii Sah Resident of Vill.-Mehda Shahpur, P.S.-
Cheria Bariyarpur, Distt.-Begusarai
 4. Ram Vilash Sah Son of late Munsii Sah Resident of Vill.-Mehda Shahpur,
P.S.-Cheria Bariyarpur, Distt.-Begusarai
 5. Ram Balak Sah Son of late Munsii Sah Resident of Vill.-Mehda Shahpur,
P.S.-Cheria Bariyarpur, Distt.-Begusarai

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arjun Prasad, Adv.

For the Opposite Party/s : Mr.Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 12-03-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners are apprehending their arrest in
connection with Cheria Bariyarpur P.S. Case No. 106 of 2021
registered for the offences punishable under Sections 147, 149,
341, 323, 337, 427, 379, 504, 308 of the Indian Penal Code.

3. As per prosecution case, petitioners and other
armed with lathi, danda and stone attacked on the house of
informant and damaged the informant's toilet. When same was



protested, petitioners and other assaulted the informant as a result of which informant sustained injury over head and fell down on the ground. It is further alleged that informant's nephew was also assaulted by the accused persons. It is also alleged that silver chain of informant was snatched by the accused persons.

4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence as alleged in the FIR. He further submits that there is no specific allegation against any of the petitioners rather the allegations are general and omnibus in nature. He further submits that victims sustained simple injury, as mentioned in the impugned order. Petitioners bear no criminal antecedent. Petitioners and informant are next door neighbour and land dispute is going on between the parties. Allegations are quite baseless and concocted. Basically, petitioners have nothing to do with the alleged occurrence.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioners, argument advanced on behalf of both sides and also taking into



consideration the material available on record, 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 bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Manjhaul, Begusarai in connection with Cheria Bariyarpur P.S. Case No. 106 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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