

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12350 of 2024

Arising Out of PS. Case No.-119 Year-2023 Thana- ANGARGHAT District- Samastipur

1. SHEKHAR SAH @ CHANDRASHEKHAR SAH S/O UPENDRA SAH R/O VILLAGE- CHAITA SOUTH, P.S- ANGARGHAT, DISTT.- SAMASTIPUR.
2. UPENDRA SAH S/O LATE MAHAVIR SAH R/O VILLAGE- CHAITA SOUTH, P.S- ANGARGHAT, DISTT.- SAMASTIPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raja Ram Mishra
For the Opposite Party/s : Mr.Rajendra Nath Jha

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 14-03-2024 1. At the very outset, Mr. Raja Ram Mishra, learned counsel for the petitioners submits that the petitioner no. 1 (Shekhar Sah @ Chandrashekhar Sah) has been arrested. As such, he seeks permission to withdraw the prayer for anticipatory bail with respect to the petitioner no. 1.
2. Permission is granted.
3. The application is dismissed as withdrawn insofar as the petitioner no. 1 / Shekhar Sah @ Chandrashekhar Sah is concerned.
4. Heard learned counsel for the parties.
5. The petitioner no. 2 (Upendra Sah) apprehends his arrest in connection with Angarghat P.S. Case No. 119 of 2023 dated



14.11.2023 registered under Sections 341, 323, 379, 307, 504 and 506 of the I.P.C.

6. As per the F.I.R. on 01.11.2023 in the morning the informant was going towards his shop. In the meanwhile, he was intercepted by the accused persons. They abused him and the co-accused / Shekhar Sah assaulted the informant by means of iron rod on his head due to which he sustained injury and petitioner no. 2 pulled him on the ground and both the accused persons assaulted him with *lathi*, *danda* and iron rod.

7. Learned counsel for the petitioner no. 2 submits that both the parties are agnates and are engaged in the business of gold / silver. There was some dispute regarding payment between the parties. Injuries caused to the informant are simple in nature as would be evident from Annexure-P/2.

8. Regard being had to the submission made by the parties, taking into consideration the fact both the parties are agnates and injuries caused to the informant are simple in nature, and as such, I am inclined to grant the privilege of anticipatory bail to the petitioner no. 2.

9. Let the petitioner no. 2, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on



furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of A.C.J.M.-III, Dalsinghsarai, Samastipur in connection with Angarghat P.S. Case No. 119 of 2023 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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