

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17429 of 2024

Arising Out of PS. Case No.-57 Year-2022 Thana- MADHEPUR District- Madhubani

1. Rajendra Sah, Son of Late Kari Sah Resident of Village- Madhepur, Ward No. 04, P.S.- Madhepur, District- Madubani
2. Kishan Kumar Sah @ Krishan Kumar Sah, Son of Resident of Village- Kusheshwar Asthan, P.S.- Kusheshwar Asthan District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Bharti

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 22-03-2024 1. Heard learned counsel for the petitioners and learned APP for the State.
2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 379, 307, 354(B), 342 and 34 of the Indian Penal Code.
3. The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and have been falsely implicated in the instant case by the informant. It is next submitted that the police, after investigation, submitted final form exonerating the petitioners of the allegations as alleged in the F.I.R., but the learned trial Court, differing with the police report, took cognizance of the offence under Section 307 of the I.P.C. It is



further submitted that when one investigating agency after threadbare has come to a considered conclusion that petitioners are innocent whether it would be prudent to send the petitioners to jail based on the same investigation based on which cognizance has been taken.

4. Learned A.P.P. opposes the anticipatory bail application.

5. 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 Court below within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-II, Jhanjharpur, Madhubani in connection with Madhepur P. S. Case No.57 of 2022, G.R. No.598 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

6. The application stands allowed.

(Satyavrat Verma, J)

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