

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18729 of 2024

Arising Out of PS. Case No.-205 Year-2023 Thana- UJIYARPUR District- Samastipur

1. Mukesh Sah S/O Kalpu Sah R/O Vill-Ward No-2 Jhakhra Tola (MATHURAPUR Tola), P.S-Sarairanjan, Dist- Samastipur.
2. Geeta Devi @ Geeta Debi W/O Rajesh Sah R/O Vill-Ward No-2 Jhakhra Tola (MATHURAPUR Tola), P.S-Sarairanjan, Dist- Samastipur.
3. Pooja Devi @ Pooja Debi W/O Mukesh Sah R/O Vill-Ward No-2 Jhakhra Tola (MATHURAPUR Tola), P.S-Sarairanjan, Dist- Samastipur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dilip Kumar Roy

For the Opposite Party/s : Mr. Mithlesh Kumar Khare

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 04-04-2024 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners have preferred this application for grant of anticipatory bail in connection with Ujiarpur P.S. Case No. 205 of 2023, dated 09.06.2023, for the offences punishable under Sections 341, 323, 324, 337, 307, 354, 379, 504/34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner no. 2 was taken away the branch of tree of the informant then the informant and her husband went to the house of the petitioner no. 2 and abused them. The co-accused Rajesh Sah assaulted her



with legs, fists. The petitioner no. 1 pulled her sari. It is further alleged that the co-accused Rajesh Sah assaulted the informant with Pagharia causing head injury. The petitioner no. 2 assaulted the informant with brick from back side. It is further alleged that when her husband came to save her then he caught neck of husband of informant and started dashing his head on the ground and the petitioner no. 3 assaulted the informant with iron rod causing head injury. It is further alleged that the petitioner no. 2 snatched gold *jitia* and the petitioner no. 2 snatched her silver payal of the informant.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. The petitioners have no criminal antecedent as stated in para 3 of the bail petition. No incriminating article were recovered from the conscious possession of the petitioners. There is no specific allegation against the petitioners rather the allegation is general and omnibus in nature. The petitioners and informant are *gotia* and next door neighbour and there is land dispute between both the parties.

5. Learned APP for the State has vehemently opposed the prayer for anticipatory bail of the petitioners.



6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioners, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the learned court concerned, Dalsingsarai, Samastipur in connection with Ujiarpur P.S. Case No. 205 of 2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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