

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41578 of 2024

Arising Out of PS. Case No.-441 Year-2023 Thana- JAYNAGAR District- Madhubani

1. Kapleshwar Sah @ Kapildev Sah Son Of Biltu Sah Resident Of Village - Union Tola, Jaynagar, P.S. - Jaynagar, District - Madhubani
2. Urmila Devi Wife Of Lakshman Sah Resident Of Village - Union Tola, Jaynagar, P.S. - Jaynagar, District - Madhubani

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ratnakar Jha, Advocate

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 09-07-2024 1. Heard learned counsel for the petitioners and the learned APP for the State.

2. The petitioners apprehend their arrest in connection with G.R. No. 2112 of 2023 arising out of Jaynagar P.S. Case No. 441 of 2023 dated 29.10.2023 registered for the offence(s) punishable under Section(s) 341, 323, 354B, 406, 420, 504, 506/ 34 of the Indian Penal Code.

3. Mr. Ratnakar Jha, learned counsel for the petitioners submitted that from the perusal of the FIR, it is clearly evident that there is no allegation against the petitioners and the instant matter relates to obstacle allegedly created by the co-accused Lakshman Sah in the process of measurement of the



land of the informant which is a very simple allegation. It is further submitted that the allegation levelled in the FIR is of purely civil in nature and the petitioners have fair and clean antecedent.

4. Mr. Rajendra Prasad Nat, learned APP appearing for the State has opposed the bail prayer of the petitioners.

5. Considering the above submissions and mainly taking into account the nature of the allegation appearing against the petitioners coupled with their fair and clean antecedent, this court is inclined to accept their anticipatory bail prayer. Accordingly, let the petitioners named-above, in the event of their arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail in connection with G.R. No. 2112 of 2023 arising out of Jaynagar P.S. Case 441 of 2023 on furnishing bail bond of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Court concerned, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

Rajiv/vinayak-

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