

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46778 of 2024

Arising Out of PS. Case No.-202 Year-2023 Thana- PALANWA District- East Champaran

1. Binda Sah S/O Lakshmi Sah R/O Village-Parsauna, Tapsi, P.S.- Palanwa, Distt-East Champaran, Motihari
2. Bikarma Sah S/O Lakshmi Sah R/O Village-Parsauna, Tapsi, P.S.- Palanwa, Distt-East Champaran, Motihari
3. Raj Kumar Sah @ Raja Sah S/O Binda Sah R/O Village-Parsauna, Tapsi, P.S.- Palanwa, Distt-East Champaran, Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nafisu Zzoha

For the Opposite Party/s : Mr. Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 20-09-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offence under Sections 447, 341, 323, 307, 379, 504, 506/34 of the Indian Penal Code.

3. As per the prosecution case, all the F.I.R. named accused persons including these petitioners assaulted informant by *lathi & danda*. It is further alleged that when son of informant came to save his father, co-accused Dharmendra Sah assaulted him with *Farsa* due to which, he sustained injury on his head, whereas petitioner no. 1 is alleged to have taken away gold chain and cash of Rs. 10,000/- from the son of informant.



4. Learned counsel for the petitioners submits that allegation of assault is general & omnibus and no specific overt act has been alleged against these petitioners. Rest of the allegations are ornamental. There is case and counter case. Petitioners claim clean antecedent.

5. Learned A.P.P. for the State has opposed the bail petition.

6. Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of their arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Palanwa P.S. Case No.202 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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