

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46834 of 2024

Arising Out of PS. Case No.-810 Year-2023 Thana- SARAIYA District- Muzaffarpur

1. Brajkishor Sah S/o Nathuni Sah Resident of Village - Bahiluara Bhual (North), P S- Saraiya, District Muzaffarpur
2. Gautam Kumar @ Guddu Sah @ Laddu @ Guddu Kumar @ Saurabh Kumar S/o Brajkishor Sah Resident of Village - Bahiluara Bhual (North), P S- Saraiya, District Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mayank Singh
For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 29-11-2024 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 448, 341, 323, 307, 354(B), 506 and 34 of the Indian Penal Code.

3. As per the prosecution case, on 27.11.2023 at about 7 PM, all the accused persons including these petitioners came to the house of informant, in drunken state, and assaulted informant and her husband and also tried to molest the daughter of the informant.

4. Learned counsel for the petitioners submits that due to land dispute pre-existing between the parties, altercation took



place, in which, both sides sustained injury. There is case and counter case. One similarly situated co-accused Sudha Devi has been granted bail by a coordinate Bench of this Court, vide order dated 26.06.2024 passed in Cr.Misc. No. 37481 of 2024. Petitioners claim clean antecedent.

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

6. Considering the nature of accusation, case & counter case, both parties sustained injury and clean antecedent of petitioners, the prayer for anticipatory bail of petitioners is allowed.

7. 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 Addl. Chief Judicial Magistrate – IV (West), Muzaffarpur in connection with Saraiya P.S. Case No. 810 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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