

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45640 of 2024

Arising Out of PS. Case No.-74 Year-2024 Thana- SONEPUR District- Saran

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Anil Sah Son Of Late Arjun Sah Village- Kasmar, P.S.- Sonpur (pahleza O.P.),
Distt.- Saran At Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Deepak Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Syed Mojibur Rahman, APP
For the Informant	:	Mr. Mukesh Kumar Singh, Advocate

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 02-08-2024 Heard learned counsel for the petitioner, learned
counsel for the informant, learned APP for the State and perused
the case diary.

2. The petitioner seeks bail in Sonpur (Pahleza O.P.)
P.S. Case No. 74 of 2024, instituted for the offences punishable
under Sections 341, 323, 324, 307, 504, 506/34 of the Indian
Penal Code.

3. The prosecution case, in short, is that, on the
alleged date and time of occurrence, the co-accused Harendra
Sah caught hold the son of the informant and ordered the
petitioner to kill him. It is further alleged that the petitioner has
assaulted the son of the informant on his head by means of
spade. It is further alleged that all the accused persons including



the petitioner also assaulted the informant, her daughter and her husband due to which they sustained injuries.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. Learned counsel for the petitioner also submitted that there is case and counter case between the parties. Due to land dispute between the parties, the altercation took place in which both sides have sustained injuries and the same are simple in nature. The allegation levelled against the petitioner is of giving spade blow to the son of the informant and the injury sustained to him is simple in nature. The petitioner is in custody since 04.05.2024 and has got two criminal antecedents in which he is on bail. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted bail by this Court vide order dated 22.04.2024 passed in Cr. Misc. No. 29603 of 2024.

5. Learned counsel for the informant and learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, taking into account the period of custody undergone by the petitioner, case and counter case and claim based on



parity, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sonpur (Pahleza O.P.) P.S. Case No. 74 of 2024.

(Rudra Prakash Mishra, J)

Rajorshi/-

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