

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.48932 of 2024**

Arising Out of PS. Case No.-637 Year-2023 Thana- SIMRI BAKHTIYARPUR District-  
Saharsa

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1. Durbal Sah Son of Jhakashu Sah Resident of Tariyama, Ward No.04, P.S.- Bakhiyarpur, District- Saharsa, Bihar.
  2. Ravindra Kumar Son of Durbal Sah Resident of Tariyama, Ward No.04, P.S.- Bakhiyarpur, District- Saharsa, Bihar.
  3. Surendra Kumar Son of Durbal Sah Resident of Tariyama, Ward No.04, P.S.- Bakhiyarpur, District- Saharsa, Bihar.
  4. Birendra Kumar Son of Durbal Sah Resident of Tariyama, Ward No.04, P.S.- Bakhiyarpur, District- Saharsa, Bihar.

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sanjeev Kumar  
For the Opposite Party/s : Mr. Ram Bilash Roy Raman

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**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY**  
**ORAL ORDER**

2      07-08-2024                      Heard learned counsel for the petitioners and  
learned A.P.P. for the State.

2. The petitioners are apprehending their arrest in connection with Bakhtiyarpur (BKP) P.S. Case No. 637/2023 registered for the offences punishable under Sections 341, 323, 324, 354(b), 379, 504, 506, 34 of the Indian Penal Code.

3. As per prosecution case, petitioners came with weapons and attacked the informant and her Gotni-Buchi Devi. It is alleged that petitioner no.2 tried to rob the informant with intention to outrage her modesty on the point of pistol, as a



result of which blouse of the victim had torn. It is further alleged that petitioner no.3 attacked Gotni of the informant by means of knife but she managed to escape and the informant sustained cut injury on hand. It is further alleged that petitioner no.1 also attacked Gotni of the informant by means of spade as a result of which she sustained injury on her leg. It is further alleged that petitioner no.4 took out gold ear-ring worth Rs.35,000/- and mangalsutra from the informant.

4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence as alleged in the FIR and they have falsely been implicated in this case. The petitioners bear no criminal antecedent. There is admitted land dispute between both the parties and in the cases of land dispute facts are generally exaggerated to make the case graver. All injuries are stated to be simple in nature. He further submits that the informant's husband has also filed Mutation Revision Case No.11/2023 against these petitioners which is still pending in the court District Magistrate, Saharsa.

5. The learned A.P.P. for the State opposed the prayer for anticipatory bail of the petitioners.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioners, argument



advanced on behalf of both sides and also taking into consideration the material available on record, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Saharsa in connection with Bakhtiyarpur (BKP) P.S. Case No. 637/2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**(Alok Kumar Pandey, J)**

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