

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49532 of 2024

Arising Out of PS. Case No.-123 Year-2022 Thana- PANDAUL District- Madhubani

1. Dharmesh Sah @ Dharmesh Son of Jagarnath Sah R/O Vill.- Madhepura, P.s.- Pandaul, Dist.- Madhubani
2. Bharosh Sahni @ Ram Bharosh Sahni Son of Ram Bilash Sahni R/O Vill.- Madhepura, P.s.- Pandaul, Dist.- Madhubani

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Gagan Deo Yadav, Advocate Mr. Rajesh Kumar, Advocate Mr. Vinod Kumar, Advocate
For the State	:	Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 20-09-2024 Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 147, 148, 149, 341, 323, 324, 353, 379, 427, 436 and 504 of the Indian Penal Code.

3. As per prosecution case, it is alleged that all the 35 F.I.R. named persons, including these petitioners and about 500 unknown persons set the house of one Shankar Sah on fire and looted several articles.

4. It is submitted by learned counsel appearing on behalf of the petitioners that petitioners are innocent and have



falsely been implicated in this case. Allegation against these petitioners are general and omnibus and there is no specific accusation of overt act against these petitioners. Similarly situated co-accused persons have already been granted the privilege of anticipatory bail by this Hon'ble Court vide orders dated 24.06.2023 and 31.07.2023 passed in Cr. Misc. Nos. 20342 of 2023 and 42114 of 2023. Petitioners claim clean antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners.

6. Considering the aforesaid facts and circumstances, nature of accusation, claim based on parity and clean antecedents of the petitioners, the prayer for grant of anticipatory bail to the petitioners is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Madhubani, in connection with Pandaul P.S. Case No. 123 of 2022, subject to condition as laid down under Section 438(2) of the Code of



Criminal Procedure.

(Prabhat Kumar Singh, J)

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