

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75188 of 2024

Arising Out of PS. Case No.-252 Year-2022 Thana- BIHRA District- Saharsa

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1. Manoj Sah Son of Late Anrudh Sah @ Anirudh Sah Resident of Village-
Purikh, Purshottampur Ward No. 05, P.S.- Bihara, Distt.- Saharsa
 2. Sonu Kumar @ Sonu Kumar Sah Son of Manoj Sah Resident of Village-
Purikh, Purshottampur Ward No. 05, P.S.- Bihara, Distt.- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha, Advocate
For the Opposite Party/s : Mr. Ajeet Kumar , APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 13-11-2024

1. Heard learned counsel for the parties.

2. The petitioners have preferred this application for grant of anticipatory bail apprehending their arrest in connection with Bihra P.S. Case no. 252 of 2022 registered under sections 307, 341, 323, 324, 504, 506 and 34 of the Indian Penal Code.

3. As per the prosecution case, the seven named accused persons including the two petitioners herein are said to have assaulted the informant with an iron rod, lathi etc. as a result of which she fell down unconscious.

4. Learned counsel for the petitioners submits that



besides the allegations against the petitioners being general and omnibus in nature, by charge-sheet dated 30.6.2023 (Annexure-2) the two petitioners herein along with one another were not sent up for trial, however differing with the same and on the basis of materials available in the case diary, vide order dated 9.11.2023 (Annexure-3) cognizance was taken, not under section 307 of the Indian Penal Code but under section 308 and other sections of the Indian Penal Code. It is submitted that the petitioners who have no criminal antecedent undertake to cooperate in the case/trial.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R, final form having been submitted against the petitioners showing them as not sent up for trial vide final report at Annexure-2 though cognizance was taken subsequently against them and the petitioners not having any criminal antecedent, it is directed that both the petitioners above named, in the event of their arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Bihra P.S. Case no. 252 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount



each to the satisfaction of the learned Chief Judicial Magistrate,
Saharsa.

(Partha Sarthy, J)

Harsh/-

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