

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81518 of 2024

Arising Out of PS. Case No.-245 Year-2024 Thana- NAANPUR District- Sitamarhi

1. Surendra Sah Son of Dine Sah Resident of Village - Raipur, Police Station - Nanpur, District - Sitamarhi
2. Sanjay Sah Son of Dine Sah Resident of Village - Raipur, Police Station - Nanpur, District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Kumar, Adv
For the Opposite Party/s : Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 10-12-2024 Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 341, 323, 307, 354, 379, 504, 506, 34, 324 of the Indian Penal Code.

3. As per the FIR, petitioners and other co-accused persons, armed with deadly weapons went to the door of the informant and abused him. Petitioner no.1 gave iron rod blow upon one Ganesh Thakur due to which he sustained injury and petitioner no.2 assaulted Mahesh Thakur due to which he sustained head injury.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence.



They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is a case and counter-case between the parties. It is further submitted that there is no specific overt act against the petitioners. Petitioner no.1 one criminal antecedent and petitioner no.2 has no criminal antecedent.

5. Learned APP for the State opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case, since there is specific allegation against the petitioner no.1 to cause grievous injury upon one of the injured person, therefore, I am not inclined to enlarge the petitioner no.1 on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

7. However, considering that the injury attributed towards the petitioner no.2 is simple in nature, let the above named petitioner no.2, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like



amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Nanpur P.S. Case No.245 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

8. Accordingly, this application is partly allowed.

(Anjani Kumar Sharan, J)

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