

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83161 of 2023

Arising Out of PS. Case No.-341 Year-2023 Thana- WARISNAGAR District- Samastipur

1. Manoj Sah Son Of Late Raj Kumar Sah R/O Village- Gohi Naya Tola, P.S.- Warisnagar, Dist.- Samastipur
2. Seema Devi Wife Of Manoj Sah R/O Village- Gohi Naya Tola, P.S.- Warisnagar, Dist.- Samastipur
3. Vikram Kumar Son Of Manoj Sah R/O Village- Gohi Naya Tola, P.S.- Warisnagar, Dist.- Samastipur
4. Sagar Sah @ Ram Sagar Sah Son Of Haruni Sah R/O Village- Gohi Naya Tola, P.S.- Warisnagar, Dist.- Samastipur
5. Upendra Sah Son Of Gopi Sah R/O Village- Gohi Naya Tola, P.S.- Warisnagar, Dist.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar
For the Opposite Party/s : Mr. Nirmala Kumari

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 07-03-2024 Heard learned counsel for the petitioners as well as
the learned APP for the State.

2. Learned counsel for the petitioner has submitted that during the pendency of this petition, the petitioner no. 1 has been arrested and, as such, the same has become infructuous in respect of petitioner no. 1. He, therefore, seeks permission to withdraw this anticipatory bail petition in respect of petitioner no. 1.

3. In view of the aforesaid submission, the



anticipatory bail petition in respect of petitioner no. 1 is dismissed as withdrawn as having become infructuous.

4. The petitioner nos. 2 to 5 apprehend their arrest in connection with Warisnagar P.S. Case No. 341 of 2023, registered for the offences punishable under Sections 341, 323, 324, 325, 307, 354B, 379, 504, 506, 34 of the Indian Penal Code.

5. As per allegation, when the informant was pouring water on the flying dust, the petitioners along with other co-accused persons came there and surrounded the informant and started assaulting him by means of *lathi*, *danda* and iron rod as a result of which, he sustained head injuries.

6. The learned counsel for the petitioner has submitted that the petitioners are the persons of clean antecedent and have falsely been implicated in this case. There is a case and counter case. Learned counsel further submits that the injuries suffered by the victim are simple in nature.

7. On the other hand, learned APP has opposed the prayer for bail.

8. Considering the above-mentioned facts and circumstances especially the clean antecedent, let the petitioner nos. 2 to 5, in the event of their arrest or surrender within four



weeks before the learned court below, be released 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 Chief Judicial Magistrate, 1st Class, Samastipur in connection with Warisnagar P.S. Case No. 341 of 2023, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nawneet Kumar Pandey, J)

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