

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82225 of 2023

Arising Out of PS. Case No.-374 Year-2023 Thana- TURKAULIYA District- East
Champaran

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Raj Kumar Sah @ Raj Kumar Son Of Ramjivan Sah Resident Of Village-
Singhiya Sagar, P.S.- Banjariya, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

- 3 19-03-2024 Heard learned counsel for the petitioner and the State.
2. Petitioner apprehends arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 342, 323, 324, 325, 307, 302, 427, 354B, 504, 447 and 448 of the Indian Penal Code.
3. As per the prosecution case, on the alleged date and time of the occurrence, all the F.I.R. named accused persons including this petitioner and three unknown persons came at the door of the informant armed with lathi, danda, knife, tanguli and abused and assaulted the informant and his family members causing injury to them. It is further alleged that all the accused persons stabbed the brother of the informant with knife as a result of which he died on the spot.



4. Learned counsel for the petitioner submits that allegation against the petitioner is general and omnibus. No specific overt act has been alleged against the petitioner. He next submits that as per the post-mortem report, only one stab wound was found on the person of the deceased and rest of the injured have received simple injuries. It is further submitted that similarly situated co-accused, namely, Vikas Sah @ Vikas Kumar has already been granted anticipatory bail by co-ordinate Bench of this Hon'ble Court *vide* order dated 05.10.2023 passed in Cr. Misc. No. 50027 of 2023. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State vehemently opposes the bail application.

6. Considering the facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, East Champaran, Motihari in connection with Turkauliya P. S. Case No. 374 of 2023, subject to condition as laid down under Section 438(2) of



the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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