

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23040 of 2025

Arising Out of PS. Case No.-794 Year-2023 Thana- BANKA District- Banka

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1. Ram Lakhan Kumar Sah @ Ram Lakhan Sah Son of Udeswar Sah
Resident of Korla Chapar P.S Banka, Dist-Banka
 2. Upendra Sah @ Upendra Kumar Gupta son of Udeswar sah Resident of
Korla Chapar P.S Banka, Dist-Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Pandey, Adv.
For the Opposite Party/s : Mr.Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 02-05-2025 Heard Mr. Dhananjay Kumar Pandey, learned
counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest in connection
with Banka P.S. Case No. 794 of 2023 registered for the
offence under sections 341, 448, 323, 337, 504, 506, 308/34 of
the Indian Penal Code.

3. The allegation against the petitioners, as per FIR,
is that on 01.12.2023, the petitioners and co-accused persons
caused hurt to the informant Kavita Devi by bricks and stones.

4. Learned counsel for the petitioners submits that
they are innocent and have committed no offence. It is further
submitted that they have falsely been implicated in this case due
to dirty village politics. It is also submitted that there is no



specific allegation of assault against the petitioners. Both the parties are agnates (*Gotias*), hence, the petitioners prayer for anticipatory bail may be granted.

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

6. Upon careful consideration of the allegations made in the FIR, it is apparent that this is a case of *Maar-Peet* between the agnates (*Gotias*) and the allegation against the petitioners is that they hurt on the head of the informant by means of bricks and stones. Also there has been a compromise between the parties which is recorded in the order impugned.

7. Considering all the facts and circumstances of the case, this Court is inclined to extend the petitioners the privilege of anticipatory bail.

8. Let the petitioners, above named, be released on bail, in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 25,000/- (Twenty Five thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with aforesaid PS Case, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.



9. Accordingly, the present application for anticipatory bail stands allowed.

(Alok Kumar Sinha, J)

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