

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68420 of 2024

Arising Out of PS. Case No.-370 Year-2023 Thana- PIPRA District- East Champaran

1. Prem Sah @ Prem Kumar Sah Son of Munilal Sah Village -Jahingara Bediban Madhuban PS -Pipra Distt -East Champaran
2. Bikesh Kumar @ Bikash Kumar Son of Mishrilal Sah @ Misri Lal Sah Village -Jahingara Bediban Madhuban PS -Pipra Distt -East Champaran
3. Arvind Sah @ Arvind Kumar @ Arvind Kumar Son of Madan Sah Village -Jahingara Bediban Madhuban PS -Pipra Distt -East Champaran
4. Chandan Kumar @ Chandan Sah Son of Mishrilal Sah @ Misri Lal Sah Village -Jahingara Bediban Madhuban PS -Pipra Distt -East Champaran
5. Mishrilal Sah @ Misri Lal Sah Son of Lalji Sah Village -Jahingara Bediban Madhuban PS -Pipra Distt -East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Khushi Awadh, Advocate
For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

4 22-03-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in connection with Pipra P.S. Case No. 370 of 2023 for the offence under Sections 341, 342, 323, 324, 379, 308 and 34 of the I.P.C.

3. As per the prosecution story, the informant – Babita Devi has alleged that her son namely Pyarelal went for participating in a feast of village. After the feast, due to previous enmity, all the F.I.R. named accused persons started assaulting



him by means of '*Lathi*' and '*Fatha*'. It is also alleged that they snatched a Hanumani (gold pendent) from the neck of Pyarelal.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The parties are co-sharer and there is land dispute is going between the parties so the informant time to time created difficulties and gets in dispute with the petitioners and the present case is the highest degree of the same. From bare perusal of the F.I.R. it is very much clear that the allegations leveled upon the petitioners are general and omnibus in nature and no specific role has been assigned to any of the petitioners. So far as the allegation of theft of the Hanumani (gold pendent) is concerned; no recovery has been made from the conscious possession of any of the petitioners. The present case is the counter version of the complaint case dated 07.12.2024, filed by the wife of the petitioner no. 1 which is numbered as Complaint Case No. 269 of 2024 in which the present informant along with his son and other family have been made accused.

5. Learned APP opposes the prayer for bail.

6. During course of argument, learned counsel for the petitioner submits that F.I.R. itself speaks about old enmity between the parties and the injuries sustained by one Pyarelal



has been found simple in nature and not on the vital part of the body. There are general and omnibus allegation against all the petitioners. Keeping in view the aforesaid facts, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner 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. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari, in connection with Pipra P.S. Case No. 370 of 2023 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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