

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68439 of 2024

Arising Out of PS. Case No.-312 Year-2024 Thana- BIKRAMGANJ District- Rohtas

1. Birendra Sah @ Birendra Prasad @ Naklesh Sah S/o Harendra Sah Resident of Vill- Dhawan, P.S.- Bikramganj, District- Rohtas
2. Munna Sah Son of Harendra Sah Resident of Vill- Dhawan, P.S.- Bikramganj, District- Rohtas
3. Ravindra Sah Son of Bahadur Sah Resident of Vill- Dhawan, P.S.- Bikramganj, District- Rohtas
4. Pappu Sah Son of Bahadur Sah Resident of Vill- Dhawan, P.S.- Bikramganj, District- Rohtas
5. Sonu Sah Son of Bahadur Sah Resident of Vill- Dhawan, P.S.- Bikramganj, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Bihari Tiwary, Advocate
For the State : Mr. Shantanu Kumar, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 18-01-2025 Heard Ld. counsel for the petitioners and Ld. APP for the State.

2. The petitioners seek bail, apprehending their arrest, in connection with Bikramganj P.S. Case No. 312 of 2024 dated 26.05.2024, registered for the offences punishable under Sections 147, 149, 341, 323, 354 and 427 of the Indian Penal Code.

3. As per allegation, the petitioners and other co-accused are alleged to have damaged the motorcycle of the



informant and assaulted the informant.

4. Ld. counsel for the petitioners submits that the Petitioners are innocent and have falsely been implicated in this case. He further submits that in fact, there is dispute regarding parking space in front of shop and motorcycles of both the parties were standing and due to dispute, altercation took place and bikes of both the parties have been damaged and both sides have got some minor injuries and case and counter case have been filed by the parties.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioners have no criminal antecedent.

7. However, Ld. APP for the State vehemently opposes the prayer of the Petitioners for bail.

8. Considering the aforesaid facts and circumstances particularly the case and counter case, **this petition is allowed**, directing the petitioners, above-named, to be enlarged on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds



in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Ld. Additional Chief Judicial Magistrate, Bikaramganj, Rohtas, in connection with Bikramganj P.S. Case No. 312 of 2024, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents, Ld. court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J.)

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