

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82256 of 2024

Arising Out of PS. Case No.-542 Year-2024 Thana- KATIHAR NAGAR District- Katihar

1. Santosh Kumar Sah Son of Late Ganga Prasad Sah R/O Gami Tola, Ward no. 29, P.S.- Katihar Town, Distt.- Katihar
2. Satish Kumar Sah Son of Late Ganga Prasad Sah R/O Gami Tola, Ward no. 29, P.S.- Katihar Town, Distt.- Katihar
3. Vishwajeet Kumar Sah Son of Late Ganga Prasad Sah R/O Gami Tola, Ward no. 29, P.S.- Katihar Town, Distt.- Katihar
4. Ritesh Kumar Sah Son of Satish Kumar Sah R/O Gami Tola, Ward no. 29, P.S.- Katihar Town, Distt.- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh
For the Opposite Party/s : Mr.Pranav Kumar

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

6 17-06-2025 At the outset, learned counsel for the petitioners prays

for withdrawal of the anticipatory bail application on behalf of

the petitioner no. 3, Vishwajeet Kumar Sah.

2. Heard learned counsel for the rest of the petitioners,

learned Additional Public Prosecutor for the State and learned

counsel for the informant.

3. The petitioners are apprehending their arrest in a

case registered for the offence punishable under Sections

126(2), 115(2), 109, 352, 351(2), 351(3), 3(5) of the B.N.S.

4. The allegation in the First Information Report is

that all the accused persons came variously armed and resorted



to abuses and assault upon the informant and on his family members. There is specific allegation of assault upon petitioner nos. 2 and 3 of assaulting the informant, his wife, son and his daughter. There is specific allegation of assault of informant, his son and his daughter upon the petitioner no. 3 due to which, the informant's son sustained head injury. So far as allegation of petitioner no. 2 is concerned, it relates to assault upon the informant's wife which has resulted in simple injury.

5. Learned counsel for the petitioners submits that there is case and counter case and both the parties are next door neighbours having a bonafide dispute of a lane. The final injury report would show that all the injuries sustained by the informant and the other members of the family are simple in nature. So far as petitioner nos. 1 and 4 are concerned, it has been submitted that there is no specific allegation against them and with regard to the allegation against the petitioner no. 2, the injuries that has been caused to the informant is simple in nature.

6. Learned APP for the State and learned counsel for the informant have opposed the application for anticipatory bail, besides others on the ground that the petitioners have assaulted the informant and his family members.



7. Considering all the above mentioned facts and circumstances, let the above named petitioner nos. 1, 2 and 4 in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Katihar Town P.S. Case No. 542 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C./482(2) of the B.N.S.S.

(Soni Shrivastava, J)

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