

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 7405 of 2020

Arising Out of PS. Case No.-169 Year-2019 Thana- WAJIRGANJ District- Gaya

1. Nagina Das Son of Bhola Das Resident of Village-Basua, P.S-Wazirganj, District-Gaya.
2. Raushan Das @ Raushan Kumar Son of Rajendra Das Resident of Village-Basua, P.S-Wazirganj, District-Gaya.
3. Pappu Das @ Pappu Kumar Son of Kapil Das Resident of Village-Basua, P.S-Wazirganj, District-Gaya.
4. Kapil Das Son of Baso Das Resident of Village-Basua, P.S-Wazirganj, District-Gaya.
5. Bachchan Das @ Bachan Das Son of Baso Das Resident of Village-Basua, P.S-Wazirganj, District-Gaya.
6. Sandeep Das @ Sandeep Kumar Son of Uday Das Resident of Village-Basua, P.S-Wazirganj, District-Gaya.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Shivendra Prasad, Advocate
For the Opposite Party/s : Mr.Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 02-03-2020 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners in this case are seeking anticipatory
bail in connection with Wazirganj P.S. Case No. 169 of 2019
registered for the offences punishable under Sections 147, 148,
149, 323, 379, 307, 354 and 504 of Indian Penal Code.

Learned counsel for the petitioners submits that the
petitioners have been falsely implicated in this case. There are



general and omnibus allegation against the petitioners except petitioner no. 3 who is said to have assaulted Shreekant Yadav but the injury report shows the nature of injury to be simple.

Learned APP has opposed the prayer for anticipatory bail of the petitioners.

Considering the facts and circumstances of the case the submission of the learned counsel for the petitioners is that so far as petitioner no. 1, 2, 4, 5 and 6 are concerned, there are no specific allegations against them of causing assault and as far as petitioner no. 3 is concerned, though there is an allegation against him that he has assaulted Shreekant Yadav but the injury report shows abrasion over right wrist and the injuries are said to be simple in nature as also further submission is that the dispute had taken place in course of election and these petitioners had no criminal antecedent, let the petitioners above named in case of their arrest or surrender within a period of four weeks from today in connection with Wazirganj P.S. Case No. 169 of 2019 be released on bail on furnishing of bail bonds of Rs.15,000/- (fifteen thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-Ist, Gaya, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. i.e.



(i) a condition that the person shall make himself available for interrogation by a police officer as and when required:

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

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