

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16532 of 2020

Arising Out of PS. Case No.-133 Year-2019 Thana- NOWKOTHI GARHPURA District-
Begusarai

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1. ANJANI SINGH @ ANJANI KUMAR,
 2. Sushil Kumar @ Sushil Kumar Singh @ Sarlu Singh,
Both are Sons of Awadh Kishore Singh, Resident of Village-Nawkothi,
Police Station-Nawkothi, District-Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bipin Kumar, Adv.

For the Opposite Party/s : Mr.Narendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 10-07-2020 Heard learned counsel for the petitioners and learned
APP for the State through virtual court proceeding.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 447, 342, 323, 324, 307, 379, 504, 506/34 of the Indian Penal Code.

The allegation against the petitioners are that they struck the informant with lathi and his brother with sharp edged weapons with intention to kill them.

Learned counsel for the petitioners submits that petitioners are quite innocent and have committed no offence as alleged in the FIR. The petitioners have falsely been implicated in this case. He submits that the petitioners and the informant are co-sharer/gotias and share holders of the informant and land dispute regarding the share the present case has been lodged. He further



submits that no corresponding bodily injury as alleged in the FIR, sharp cutting weapon has been found on the body of the injured persons by the doctor and all the injuries found in simple in nature is at Annexure-3 of the bail petition. From perusal of the facts that they are Gotias and there is no intention to kill them therefore, no case is made out under Section 307 of the I.P.C. against the petitioners. The petitioners have no criminal antecedent.

Learned APP for the State opposes the prayer for bail petition.

In the aforesaid facts and circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs. 25,000/- (rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Begusarai in connection with Nawkothe P. S. Case No. 133 of 2019, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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