

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16641 of 2020

Arising Out of PS. Case No.-676 Year-2019 Thana- GOPALGANJ TOWN District-
Gopalganj

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1. MUKESH PATEL Son of Late Surendra Patel Resident of Village - Naya Tola, Harpur, P.S. and District- Gopalganj
 2. Manjeet Patel Son of Kailash Patel Resident of Village - Naya Tola, Harpur, P.S. and District- Gopalganj

... .. Petitioners.

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhramveer, Advocate.

For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 13-10-2020 Heard learned counsel for the petitioners and learned
A.P.P. for the State through virtual Court proceedings.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 427, 504, 506, 307 & 379/34 of the Indian Penal Code.

The prosecution case, in brief, is that on the alleged date of occurrence, there was occasion of 'Tilak Ceremony'. In the meantime, the petitioners along with two other co-accused called the informant and made pressure to play Bhojpuri obscene song and when he made protest of it, petitioners along with two other co-accused started scuffling with him hurling abuse and when members of prosecution party rushed to rescue



him, petitioners hurled brickbats and assaulted with lathi, as a result of which Rambabu Kumar and Daulat Kumar sustained head injury and Arun Kumar sustained injury in left arm. Petitioner Mukesh Patel inflicted knife blow in his left stomach and also caused head injury by assaulting with brickbat. They also committed loot-pat of utensils of Tilak and damaged the sound-box, tent etc.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to dirty village politics. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. It is further submitted that petitioners and informant are co-villagers and genesis of occurrence is not very serious. There is case and counter case. Both sides have sustained injuries. The injury sustained by the informant is simple in nature. Petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two



sureties of the like amount each to the satisfaction of the learned
C.J.M., Gopalganj in connection with Gopalganj P.S. Case
No.676 of 2019, subject to the condition as laid down under
Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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