

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5083 of 2020

Arising Out of PS. Case No.-123 Year-2017 Thana- KAKO District- Jehanabad

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1. DEEPAK KUMAR Son of Shailendra Sharma Resident of Village - Chatar, P.S.- Kako (Bhelawar), District - Jehanabad.
 2. Mritunjay Sharma Son of Rajendra Sharma Resident of Village - Chatar, P.S.- Kako (Bhelawar), District - Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar

For the Opposite Party/s : Mr.Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 01-12-2021 Heard learned counsel for the petitioners and learned APP for the State.

Learned counsel for the petitioners is expected to honour his undertaking to remove the defects as pointed out by the office when called upon to do so by the office.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Kako P.S. Case no. 123 of 2017 instituted for the offence under Sections 341, 323, 307, 379, 504 and 34 of the Indian Penal Code.

As per allegation in the FIR, it is a case of assault to the informant and her son by the accused persons including the petitioners due to land dispute.

Learned counsel appearing on behalf of the petitioner has submitted that petitioners are innocent and have committed



no offence. They have got no criminal antecedent. The present case is counter blast of Kako P.S. Case No. 122 of 2017, which is filed by the petitioner against the informant. Only to save their skin, the present case has been lodged. Para 29 of the case diary shows that injury received by the informant is simple in nature.

Learned APP appearing for the State has opposed the prayer of bail

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Kako P.S. Case no. 123 of 2017, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Jehanabad subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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