

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25889 of 2021

Arising Out of PS. Case No.-115 Year-2020 Thana- GHORASAHAN District- East
Champaran

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1. KAILASH DHANKAR Son of Faguni Dhankar @ Jibaj Dhankar Resident of Village - Bishunpur Damar Bajar, P.S.- Ghorasahan (Jharokhar), District - East Champaran.
 2. Ram Ashish Dhankar Son of Dhoda Dhankar Resident of Village - Bishunpur Damar Bajar, P.S.- Ghorasahan (Jharokhar), District - East Champaran.

... .. Petitioners.

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar
For the Opposite Party/s : Mr. Ram Naresh Roy

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-09-2021 Heard learned counsel for the petitioners and learned
APP for the State through virtual Court proceedings.

Learned counsel for the petitioners undertakes to remove the defects within four weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioners seek bail in a case registered for the offence punishable under Section 302/34 of the Indian Penal Code.

While the informant along with her husband was



returning from the market, all the F.I.R. named accused persons including the petitioners is said to have assaulted the informant's husband by means of punch, kick, fist and slap and tossed him down. On her alarm, when her family members rushed in rescue they were also dashed by the accused persons. Thereafter, while the informant was taking her husband for treatment with the help of her son and villagers in the way her husband died.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. They are quite innocent and have been falsely implicated in this case due to dirty village politics. No incriminating article has been recovered from their conscious physical possession. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is nothing in the record indicating the complicity of the petitioners in the occurrence. Several similarly situated co-accused have been enlarged on bail by different co-ordinate Bench of this court. The petitioners have no criminal antecedent and have been languishing in custody since 01.09.2020.

Learned APP for the State opposed the bail petition.



Considering the facts aforesaid, the above named petitioners are directed to be enlarged on bail 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 Court below where the case is pending/successor Court in connection with Ghorasahan (Jharokhar) P.S. Case No.115 of 2020.

(Anjani Kumar Sharan, J)

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