

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27032 of 2021

Arising Out of PS. Case No.-355 Year-2020 Thana- BIHTA District- Patna

1. NITISH KUMAR Son of Sri Niranjana Kumar Resident of Village- Kamalpur (Chiraiyatand), P.S.- Bihta, District- Patna.
2. Navnit Kumar Son of Sri Niranjana Kumar Resident of Village- Kamalpur (Chiraiyatand), P.S.- Bihta, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Pandey, Adv.
Mr.Rajesh Kumar, Adv.
For the Opposite Party/s : Mr.Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-12-2021 Heard the parties.

The petitioners apprehend their arrest in a case in connection with Bihta P.S. Case No.355 of 2020, registered for the offence punishable under Sections 341, 323, 325, 504, 506/34 of the IPC, section 27 of the Arms Act. Subsequently, sections 307 and 354B IPC was added on 27.08.2020.

The crux of the prosecution case is that for a dispute with regard to closing of a drainage, the accused persons have indiscriminately assaulted the informant's side.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to dirty



village politics. No such occurrence as alleged has ever taken place. Petitioners are not named in the FIR nor any specific overt act is levelled against the petitioners. During investigation, petitioners were made accused. Both sides are agnates and there is a case and counter-case between the parties. Petitioners have no criminal antecedent, which is also mentioned in para-3 of the anticipatory bail application.

Learned APP for the State opposed the prayer for bail.

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 court below where the case is pending/Successor Court in connection with Bihta P.S. Case No.355 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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