

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11339 of 2021

Arising Out of PS. Case No.-29 Year-2020 Thana- BHARGAMA District- Araria

1. SHREELAL SARDAR S/o- Kisan Sardar Resident of Village- Kushmoul, P.S.- Bhagrama, District- Araria.
2. Aman Sardar S/o- Shreelal Sardar Resident of Village- Kushmoul, P.S.- Bhagrama, District- Araria.
3. Pawan Sardar @ Pawan Kumar Sardar S/o- Shreelal Sardar Resident of Village- Kushmoul, P.S.- Bhagrama, District- Araria.
4. Neelam Devi W/o- Aman Sardar Resident of Village- Kushmoul, P.S.- Bhagrama, District- Araria.
5. Somni Devi W/o- Shreelal Sardar Resident of Village- Kushmoul, P.S.- Bhagrama, District- Araria.
6. Kundan Sardar S/o- Darpi Sardar Resident of Village- Kushmoul, P.S.- Bhagrama, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gopal Kumar Jha
For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 22-12-2021 Heard the learned counsel for the petitioners and

the learned APP for the State.

The petitioners seek bail in anticipation of their

arrest in connection with Bhargama P.S. Case No. 29 of

2020 (G.R. No. 753 of 2020) instituted for the offence

under Sections 1341, 323, 307, 379, 504/34 of the Indian

Penal Code.

The accusation against the petitioner no. 1 is of



having given orders to his associates for assaulting the members of the prosecution party. The petitioner nos. 2 and 3 are then said to have assaulted the informant and his wife by means of *khanti* and *lathi* respectively.

There is general and omnibus allegation against the petitioner nos. 4, 5 and 6.

The learned counsel for the petitioners has submitted that they have falsely been implicated in this case on account of an earlier enmity.

The petitioner no. 5 has filed a Complaint Case No. 34 of 2020 against the informant and others on 04.01.2020.

However, regard being had to the nature of accusation against the petitioner nos. 2 and 3, I am not inclined to grant anticipatory bail to them.

The prayer for anticipatory bail of the petitioner nos. 2 and 3 is rejected.

Should they surrender before the court below and seek bail, their application shall be considered on its own merits without being prejudiced by the fact that the present



petition on their behalf has not been entertained.

Regard being had to the general nature of accusation against the petitioner nos. 1, 4, 5 and 6, they are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate -1st Class, Araria in connection with Bhargama P.S. Case No. 29 of 2020 (G.R. No. 753 of 2020), subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Ashutosh Kumar, J)

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