

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82154 of 2019

Arising Out of PS. Case No.-151 Year-2019 Thana- ARA MUFFASIL District- Bhojpur

-
1. AKHILESH KUMAR Son of Dev Nath Yadav R/o Village- Hasanpura, P.S.- Ara Muffasil, District- Bhojpur.
 2. Arun Kumar Son of Ram Bali Yadav R/o Village- Hasanpura, P.S.- Ara Muffasil, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiv Prasad Gupta

For the Opposite Party/s : Mr. Bharat Bhushan (App156)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

4 01-03-2021 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 147, 148, 149, 342, 504, 323, 506, 379, 307 of the Indian Penal Code.

Allegedly, while the informant was standing near his shop, the accused persons having armed with lathi, danda caught him. It is further alleged that they started abusing and assaulting him. Furthermore, while Krishna Kumar Niraj and Amit Kumar came to rescue him, they were also assaulted. Gold chain and Rs. 1000/- is also alleged to have been snatched away.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have been falsely implicated in the present case. The specific allegation is alleged against co-



accused Dhruv Kumar. So far petitioners are concerned, general and omnibus allegation has been made against them. No specific overt act is alleged against them. There is case and counter case between the parties. Free fight is alleged to have taken place between the parties. The injury on the side of the accused has not been explained by the prosecution. The prosecution has not come with clean hands.

On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioners, above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Ara Muffassil (M) P.S. Case No. 151 of 2019 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

A.K.V.//-

U		T	
---	--	---	--

(Sudhir Singh, J)

