

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3157 of 2022

Arising Out of PS. Case No.-226 Year-2021 Thana- UCHKAGAON District- Gopalganj

1. NANHAK RAM @ PINTU RAM Son of Chhotelal Ram Resident of Village - Mohaicha, P.S.- Uchakagaon, District - Gopalganj.
2. Bhikhu Ram Son of Chhotelal Ram Resident of Village - Mohaicha, P.S.- Uchakagaon, District - Gopalganj.
3. Rikhu Ram Son of Chhotelal Ram Resident of Village - Mohaicha, P.S.- Uchakagaon, District - Gopalganj.
4. Chhotey Lal Ram @ Chhotelal Ram Son of Late Dukhi Ram Resident of Village - Mohaicha, P.S.- Uchakagaon, District - Gopalganj.
5. Dhaneswar Ram Son of Vishwa Nath Ram Resident of Village - Mohaicha, P.S.- Uchakagaon, District - Gopalganj.
6. Gayanti Devi @ Dewanti Devi Wife of Chhotelal Ram Resident of Village - Mohaicha, P.S.- Uchakagaon, District - Gopalganj.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satish Chandra Mishra
For the Opposite Party/s : Mr. Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 16-08-2022 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Vide order dated 13.07.2022, the bail application as
against petitioner nos. 1, 2, 3 and 4 was dismissed as withdrawn.

Now, this application is being heard with regard to
petitioner nos. 5 and 6 only.

The petitioners apprehend their arrest in a case registered
for the offence punishable under section 341, 323, 324, 307,



354, 504, 325, 379/34 of the Indian Penal Code.

Allegedly, the petitioners alongwith other accused persons assaulted the informant's side by means of various weapons due to which they sustained injuries.

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 enmity. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. There is a case and counter-case between the parties. Both the informant and petitioners are agnates. There is no specific overt act against the petitioner nos. 5 and 6. The injuries are simple in nature. Petitioners have no criminal antecedent, as also mentioned in para-3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, since there is no specific overt act against the petitioner nos.5 and 6, let the above named petitioner nos. 5 and 6 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 Uchakagon P.S. Case No.226 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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