

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6310 of 2022

Arising Out of PS. Case No.-140 Year-2020 Thana- SAKURABAD District- Jehanabad

1. BIMLESH KUMAR Son of Mahesh Yadav Resident of Village - Iasahachak, P.s.- Shakurabad, Distt.- Jehanabad, Distt.- Bihar 804421.
2. Dipu Kumar Son of Mahesh Yadav Resident of Village - Iasahachak, P.s.- Shakurabad, Distt.- Jehanabad, Distt.- Bihar 804421.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pranav Kumar

For the Opposite Party/s : Mr.Sunil Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-07-2022 Heard learned counsel for the petitioners, learned counsel for the informant and learned Additional Public Prosecutor for the State.

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

The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 341, 323, 307, 338, 302/34 of the Indian Penal Code.

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. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners are not specific rather general and omnibus in nature. It is submitted in the present case petitioner is not named in the FIR. Further, there is a delay of 5 days in registering the FIR, which has not been satisfactorily explained, during the investigation. The petitioners have no criminal antecedent and several similarly situated co-accused persons have been enlarged on anticipatory bail by a co-ordinate Bench of this court vide order dated 04.07.2022, passed in Cr. Misc. No. 58954 of 2021, and vide order dated 11.07.2021, passed in Cr. Misc. No. 62209 of 2021. Some of the co-accused has also been acquitted by the learned court below in Sessions Trial No. 10 of 2021.

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

Having regard to the facts and circumstances of the case, since there is land dispute between the parties and the injuries are simple in nature, 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 Shakurabad P.S Case No. 140 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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