

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13333 of 2022

Arising Out of PS. Case No.-223 Year-2021 Thana- BHAGWANPUR District- Vaishali

1. Arun Kumar Shahi @ Arun Shahi, Son Of Lalbabu Shahi R/O Village- Sahtha, P.S.- Bhagwanpur, District- Vaishali (BIHAR)
2. Shailesh Kumar Shahi @ Shailesh Shahi, Son Of Ajit Shahi R/O Village- Sahtha, P.S.- Bhagwanpur, District- Vaishali (BIHAR)
3. Ajit Kumar Shahi @ Ajit Shahi, Son Of Arun Shahi R/O Village- Sahtha, P.S.- Bhagwanpur, District- Vaishali (BIHAR)
4. Ajay Kumar Shahi @ Ajay Shahi, Son Of Lal Babu Shahi R/O Village- Sahtha, P.S.- Bhagwanpur, District- Vaishali (BIHAR)

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Archana Sinha @ Archana Shahi

For the Opposite Party/s : Mr. Kumar Veerendra Narayan

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 20-09-2022 Vide orders dated 28.04.2022 and 19.09.2022 the anticipatory bail application with respect to petitioner nos.1, 3 and 4 were withdrawn.

Heard learned counsel for the petitioner no.2 and learned APP for the State.

The petitioner no.2 seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 323, 324, 354(B), 307, 447, 504, 506, 34 of the Indian Penal Code.

The learned counsel for the petitioner submits that the



petitioner no.2 is a person with clean antecedent as pleaded in the supplementary affidavit and the informant alleges that on 01.10.2021, when informant was drinking tea with her husband that the accused persons including the petitioner came variously armed and dragged both the informant and her husband out of their house and thereafter, it is alleged that all the accused persons assaulted both the victims with iron rod and butt of pistol and tore informant's clothes. Thereafter, it is alleged that even the family members, who came to save them were also assaulted.

The learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. It is next submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that allegations are general and omnibus in nature i.e. no specific overt act has been alleged against the petitioner and even injuries suffered by the injured is simple in nature as would be evident from Annexure-3.

Learned A.P.P. opposes the bail application.

Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail



on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Bhagwanpur P. S. Case No.223 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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