

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22385 of 2022

Arising Out of PS. Case No.-28 Year-2022 Thana- HATHAURI District- Muzaffarpur

1. PRAMOD DAS, S/o Late SanjiwanRay @ Sanjiwan Das
2. Ravi Kumar S/o Mr. Pramod Das
Both residents of Village- Narma, P.S.- Hathauri, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nilesh Kumar, Advocate
For the Opposite Party/s : Mr.Shailendra Kumar, App

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 18-07-2022 Heard learned counsel for the parties.

Petitioners seek bail in a case registered for the offence punishable under Sections 147, 148, 149, 341, 323, 307, 332, 336, 353, 427 and 504 of the Indian Penal Code.

Informant who is a police officer has alleged that on 24.01.2022, one Manish Kumar was arrested with liquor and was brought to police station and around 08.15 p.m., family members of Manish Kumar along with 40-50 persons came and created nuisance at the police station and tried to get accused Manish Kumar out of the custody and in doing so, they demolished the *Hajat* gate and when informant restrained them, the accused persons assaulted the police by means of bricks and stones, due to which, they became injured. Further allegation is

that the accused persons tore important documents which were lying over there.

It has been submitted on behalf of the petitioners that they are innocent and have falsely been implicated in this case due to local village politics. It is further submitted that police wrongly arrested Mansih Kumar in a false case under the Excise Act and when the villagers along with family members requested for his release, the present false case was lodged against his family members. Petitioners have no criminal antecedent and they are in custody since 25.01.2022.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bond of Rs. 20,000/- each with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Hathauri P.S. Case No. 28 of 2022, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and their absence on two consecutive dates without sufficient reason, their bail

bonds shall be cancelled by the court below.

(3) If the petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(S. Kumar, J)

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