

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 26772 of 2022

Arising Out of PS. Case No.-275 Year-2021 Thana- GAYA MUFASIL District- Gaya

1. RAHUL KUMAR Son of Hemraj Prasad Resident of Village - Lakhanpur,
P.S.- Muffasil, District - Gaya
2. Raushan Kumar Son of Hemraj Prasad Resident of Village - Lakhanpur,
P.S.- Muffasil, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar

For the Opposite Party/s : Mrs. Indu Kumari Srivastava

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 15-11-2022 Heard learned counsel for the petitioners and learned APP
for the State.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Muffasil P.S. Case no. 275 of 2021 instituted for the offence punishable under Sections 147, 148, 149, 323, 326, 302/34 of the Indian Penal Code.

As per allegation in the FIR, several accused person including the petitioners entered into the house of the informant variously armed with lathi, khanti, knife and pistol. They called out the informant's son and as soon as he came there, they started to assault him. It is further alleged that petitioners were caught hold his son and co-accused Shambhu Verma stabbed knife into his body as a result of which he succumbed to injuries.

Learned counsel appearing on behalf of the petitioners has



submitted that petitioners are innocent and have committed no offence. They have been falsely implicated in this case due to dirty village politics. They have got no criminal antecedent. General and omnibus allegations have been levelled against the petitioners. Specific allegation of stabbing is attributed to co-accused Shambhu Verma.

Learned APP appearing for the State has vehemently opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Muffasil P.S. Case no. 275 of 2021, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Gaya subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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