

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28819 of 2022

Arising Out of PS. Case No.-759 Year-2020 Thana- FATUA District- Patna

1. RAKESH KUMAR Son of Ramesh Das Resident of village - Gandhi Nagar, Maksudpur, P.s.- Fatuha, Distt.- Patna.
2. GOPAL KUMAR @ MUKESH KUMAR Son of Ramesh Das Resident of village - Gandhi Nagar, Maksudpur, P.s.- Fatuha, Distt.- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 29168 of 2022

Arising Out of PS. Case No.-759 Year-2020 Thana- FATUA District- Patna

RAKESH KUMAR SON OF PARMANAND DAS R/O VILLAGE-
GANDHI NAGAR, MAKSUDPUR, P.S.- FATUHA, DISTRICT- PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 28819 of 2022)

For the Petitioner/s : Mr.Nishant Kumar Jha

For the Opposite Party/s : Mr.Choubey Jawahar

(In CRIMINAL MISCELLANEOUS No. 29168 of 2022)

For the Petitioner/s : Mr.Nishant Kumar Jha

For the Opposite Party/s : Mr.Choubey Jawahar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 17-11-2022 Heard the parties.

Learned counsel for the petitioners is directed to remove the defects within four weeks.

The petitioners apprehend their arrest in a case registered for the offence punishable under section 147, 149, 342, 337,



338, 307, 332, 353, 427, 188, 269, 270, 271 and 504 of IPC, section 3 of Epidemic Disease Act, 1893, section 51 of Disaster Management Act and section 9 of the Bihar Controlling Use and Play of Loudspeaker Act, 1955.

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 levelled against the petitioners is not specific rather general and omnibus in nature. There is no specific overt act against the petitioners. 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, let 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



Fathua P.S. Case No.759 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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