

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32289 of 2022

Arising Out of PS. Case No.-364 Year-2021 Thana- KHAIRA District- Jamui

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1. BRAHMDEV CHAUHAN SON OF LATE MISHRI CHAUHAN Resident of Village-Hardimoh, Police Station-Khaira, District-Jamui.
 2. MAHENDRA CHAUHAN SON OF BRAHMDEV CHAUHAN Resident of Village-Hardimoh, Police Station-Khaira, District-Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar, Adv.

For the Opposite Party/s : Mr.Parmanand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 14-09-2022 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

Learned counsel for the petitioners is directed to remove the defects within four weeks. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

Petitioners apprehend their arrest in a case registered for offence punishable u/s 147, 149, 341, 323, 307, 379, 504 IPC.

Allegedly, petitioner no.1 is said to have assaulted with iron rod on head of the informant and petitioner no.2 has assaulted one Shambhu Sharan by rod.

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 is general and omnibus in nature. Parties are agnates and in the alleged occurrence, both sides have sustained injuries, which are simple in nature. It is further submitted that there is a case and counter-case between the parties. Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since the injuries are simple in nature and there is case and counter-case between the parties, 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 connection with Khaira P.S. Case No.364 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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