

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33898 of 2022

Arising Out of PS. Case No.-393 Year-2021 Thana- JAGDISHPUR District- Bhagalpur

1. GAURI DAS S/o Sri Bideshi Das Resident of Village- Barhari, P.S.- Goradih, District- Bhagalpur.
2. Arjun Kumar Das S/o Sri Gauri Das Resident of Village- Barhari, P.S.- Goradih, District- Bhagalpur.
3. Bideshi Das S/o Late Baiju Das Resident of Village- Barhari, P.S.- Goradih, District- Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Navjot Yesu
For the Opposite Party/s : Mr.Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-09-2022 Heard the parties.

Learned counsel for the petitioners undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioners apprehend their arrest in a case registered for the offence punishable under section 341, 323, 307, 447, 379, 504, 506 and 34 of IPC.

Allegedly, the petitioners assaulted the informant and his wife by means of deadly weapons. It is also alleged that the petitioners forcibly took the cow of the informant's brother.



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 due to dirty village politics. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. The occurrence took place on 23.11.2021 but the F.I.R. was lodged on 28.11.2021 i.e. after a delay of 5 days, without giving any plausible explanation regarding the delay which creates a serious doubt on the prosecution case. 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, since there is a delay in lodging FIR and the injuries are simple in nature, 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 Jagdishpur (Goradih) P.S. Case No.393 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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