

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36866 of 2022

Arising Out of PS. Case No.-794 Year-2021 Thana- AHIYAPUR District- Muzaffarpur

1. RAJU DUBEY SON OF SRI JAI KISHORE DUBEY RESIDENT OF VILLAGE- PAHARCHAK, P.S.- MOTIPUR, DISTRICT- MUZZAFFARPUR
2. GULSHAN KUMAR SON OF NAGENDRA PANDEY RESIDENT OF VILLAGE- BAIYARPUR, P.S.- MOTIPUR, DISTRICT- MUZZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Y.C. Verma, Sr. Adv
Mr. Madhav Raj, Adv

For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 14-11-2022 Heard the parties.

The petitioners apprehend their arrest in a case registered for the offence punishable under section 307, 147, 148, 149, 341, 323, 504 and 506 of the Indian Penal Code.

Allegedly, the petitioners alongwith other accused persons assaulted the informant by means of deadly weapons with an intention to kill him.

It is submitted by learned senior 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. He further submits that from the perusal of the impugned order and material in case diary including the para-3 of the supplementary case diary it is clear that there is no specific allegation against the petitioners. Petitioners have no criminal antecedent.

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 Ahiyapur P.S. Case No.794 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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