

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37529 of 2022

Arising Out of PS. Case No.-67 Year-2022 Thana- ATHMALGOLA District- Patna

1. PAPPU RAI SON OF RAMSWAROOP RAI R/O VILLAGE KALAYANPURDIH, P.S.- ATHMALGOLA, DISTT.- PATNA
2. PINTU KUMAR SON OF NANDLAL RAI R/O VILLAGE KALAYANPURDIH, P.S.- ATHMALGOLA, DISTT.- PATNA
3. NITISH KUMAR SON OF NANDLAL RAI R/O VILLAGE KALAYANPURDIH, P.S.- ATHMALGOLA, DISTT.- PATNA
4. MUNNA KUMAR SON OF RAMBALI RAI R/O VILLAGE KALAYANPURDIH, P.S.- ATHMALGOLA, DISTT.- PATNA
5. MADHESH KUMAR SON OF RAJBALLABH RAI R/O VILLAGE KALAYANPURDIH, P.S.- ATHMALGOLA, DISTT.- PATNA
6. ABHISEKH KUMAR SON OF DULARCHAND RAI R/O VILLAGE KALAYANPURDIH, P.S.- ATHMALGOLA, DISTT.- PATNA
7. LALKARU KUMAR @ LALKARU KUMAR SON OF AWADH BIHARI RAI R/O VILLAGE KALAYANPURDIH, P.S.- ATHMALGOLA, DISTT.- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Pandey, Adv.
For the Opposite Party/s : Mr.Amit Kumar Rakesh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-09-2022 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

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 u/s 147, 149, 342, 323, 325, 307, 448,



504/34 of the IPC and section 27 of the Arms Act.

Allegedly, on account of an altercation, all the FIR named accused persons came at the house of informant and Pappu Kumar fired upon him but it could not hit him. Thereafter, on the order of Pappu Kumar, Pintu Kumar assaulted the informant by means of butt of rifle, Nitish Kumar assaulted by means of bhala but it could not hit and when the informant's wife came to rescue, Madhesh Kumar assaulted her by means of Katta on her head and Abhishek Kumar also assaulted her.

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 village politics. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is general and omnibus in nature. Although there is allegations of assault against some of the petitioners but the injuries as per the injury report are simple in nature, which is clear from the impugned order. Petitioner has 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, 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 Athmalgola P.S. Case No.67 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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