

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48728 of 2021

Arising Out of PS. Case No.-221 Year-2020 Thana- CHERIYA BARIYARPUR District-
Begusarai

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1. ABHIRAJ KUMAR SON OF SHEOKISHORE PASWAN Resident of Village - P.O.- Manjhaul, Khoir Tola, P.S.- Cheriabariyarpur, Distt.- Begusarai.
 2. Amritesh Kumar Son of Shekishore Paswan Resident of Village - P.O.- Manjhaul, Khoir Tola, P.S.- Cheriabariyarpur, Distt.- Begusarai.
 3. Munna Kumar Son of Gyani Paswan Resident of Village - P.O.- Manjhaul, Khoir Tola, P.S.- Cheriabariyarpur, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bajarangi Lal

For the Opposite Party/s : Mr.Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 21-06-2022 At the outset, learned counsel for the petitioners submits that petitioner no. 3 namely Munna Kumar has been arrested and as such, this petition has become infructuous, so far as petitioner no. 3 is concerned.

Accordingly, in respect of petitioner no. 3 Munna Kumar, this petition is dismissed as same has become infructuous.

Heard learned counsel for the parties.

The petitioners apprehend their arrest in a case registered for the offence under Sections 147, 148, 149, 323, 504, 506, 354(B) of the Indian Penal Code.



As per the prosecution case, the F.I.R. named accused persons including petitioners and 20-25 unknown persons, armed with various weapons, assaulted the wife of informant with *lathi* and *danda* causing injuries to her and they also tried to outrage her modesty.

It is submitted on behalf of petitioners that there is general and omnibus allegation. Though, there is allegation of assault by 20-25 persons in the F.I.R., but no injury report is available on record. As a matter of fact, petitioners and others were protesting against the negligency in the investigation by the police in the murder case of their relative Mantun Paswan and due to that reason, they were falsely implicated in this case. Petitioners claim clean antecedent.

Learned A.P.P. for the State has opposed the bail petition.

Considering the general and omnibus nature of allegation and clean antecedent of petitioners, let the above named petitioner no. 1 & 2 namely Abhiraj Kumar and Amritesh Kumar, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial



Magistrate, Begusarai in connection with Cheriabariyarpur P.S.
Case No. 221 of 2020, subject to condition as laid down under
Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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