

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42749 of 2022

Arising Out of PS. Case No.-369 Year-2021 Thana- BARHARIA District- Siwan

1. ASHWANI KUMAR @ BALMIKI SON OF LATE JANARDHAN PRASAD @ SETHI RESIDENTS OF VILLAGE - KOERIGAWAN P.O. KOERIGAWAN P.S- BARHARIA DISTRICT -SIWAN
2. BRIJESH KUMAR @ BIRESH PRASAD SON OF LATE JANARDHAN PRASAD @ SETHI RESIDENTS OF VILLAGE - KOERIGAWAN P.O. KOERIGAWAN P.S- BARHARIA DISTRICT -SIWAN
3. SANDEEP KUMAR @ SANDEEP SON OF SHIVJI KUSHWAHA RESIDENTS OF VILLAGE - KOERIGAWAN P.O. KOERIGAWAN P.S- BARHARIA DISTRICT -SIWAN
4. SUSHIL KUMAR SON OF LATE DINESH PRASAD RESIDENTS OF VILLAGE - KOERIGAWAN P.O. KOERIGAWAN P.S- BARHARIA DISTRICT -SIWAN
5. RAMBABU @ RAM BIHARI SON OF RAMESHWAR PRASAD @ ROHI RESIDENTS OF VILLAGE - KOERIGAWAN P.O. KOERIGAWAN P.S- BARHARIA DISTRICT -SIWAN
6. OSHIHAR PRASAD @ WASIHAR PRASAD SON OF LATE BHAGWAN PRASAD RESIDENTS OF VILLAGE - KOERIGAWAN P.O. KOERIGAWAN P.S- BARHARIA DISTRICT -SIWAN
7. RAMESH KUMAR VERMA SON OF LATE NAGINA PRASAD RESIDENTS OF VILLAGE - KOERIGAWAN P.O. KOERIGAWAN P.S- BARHARIA DISTRICT -SIWAN
8. RAJA KUMAR SON OF BHARAT PRASAD RESIDENTS OF VILLAGE - KOERIGAWAN P.O. KOERIGAWAN P.S- BARHARIA DISTRICT -SIWAN
9. RAJAN KUMAR SON OF SHRI JANARDHAN PRASAD RESIDENTS OF VILLAGE - KOERIGAWAN P.O. KOERIGAWAN P.S- BARHARIA DISTRICT -SIWAN
10. DEOKUMAR SON OF RAJ KAPUR RESIDENTS OF VILLAGE - KOERIGAWAN P.O. KOERIGAWAN P.S- BARHARIA DISTRICT -SIWAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate
For the Opposite Party/s : Mr. Rabindra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA



ORAL ORDER

2 13-12-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 149, 447, 504, 323, 325, 336 and 307 of the Indian Penal Code.

The informant alleges that twenty-two named accused persons including the petitioners came and assaulted him and his brother for not giving vote to their candidate in the election, further Rajan, Bittu, Sambhu, Ramashankar and Devkumar assaulted by bricks and stones causing injury on head and face.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and have been falsely implicated in the present case, it is next submitted that from bare perusal of the allegation as alleged in the FIR it would manifest that twenty-two named accused persons are alleged to have assaulted, as such, the allegation of assault is general and omnibus in nature, it is next submitted that in the occurrence it is alleged that three persons were injured out of which injuries of two injured are simple in nature and one of the injury of the informant who received five injuries is said to be grievous that is on the nose, but then it is not specific as to who assaulted the informant in the manner alleged.



Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Barharia P.S. Case No. 369 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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