

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41414 of 2022

Arising Out of PS. Case No.-305 Year-2021 Thana- KOTWA District- East Champaran

1. SHARMA RAM SON OF LATE GENDA RAM R/O VILLAGE- TALWA, P.S.- KOTWA, DISTRICT- EAST CHAMPARAN
2. MUNNA SAHANI SON OF JANGALI SAHANI R/O VILLAGE- TALWA, P.S.- KOTWA, DISTRICT- EAST CHAMPARAN
3. SANTOSH KUMAR SON OF JAWAHAR RAI R/O VILLAGE- TALWA, P.S.- KOTWA, DISTRICT- EAST CHAMPARAN
4. PINTU RAM SON OF SHARMA RAM R/O VILLAGE- TALWA, P.S.- KOTWA, DISTRICT- EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhav Jha, Adv.

For the Opposite Party/s : Mr.Prem Kumar Jha, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-11-2022 Heard the parties.

Learned counsel for the petitioners is directed to remove the defects within four weeks.

Learned counsel for the petitioners seeks permission to withdraw this application submitting that petitioner nos. 2 & 4, have already been arrested during pendency of this application.

Permission is granted.

Accordingly, this application is dismissed as withdrawn against petitioner nos. 2 & 4.



Now, this application survives only for petitioner nos.
1 & 3.

Petitioners apprehend their arrest in a case registered for offence punishable u/s 427, 353/34 of the IPC.

Allegedly, the accused persons named in F.I.R. including the petitioners misbehaved with the government officials and damaged the government vehicles.

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 and the allegations as mentioned in the FIR are false and concocted. No such occurrence, in the manner as alleged, has ever taken place. It is further stated that the petitioners did not assault and misbehave with government officials. They did not damage the vehicle of Sub-Divisional Magistrate by any corner. It is further submitted that they had also filed a complaint against the PDS Dealer but no action was not taken. Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since there is no specific overt act against the petitioners, let the above named petitioner nos. 1 & 3, 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) 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 Kotwa P.S. Case No.305 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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