

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50899 of 2021

Arising Out of PS. Case No.-232 Year-2016 Thana- SAHEBGANJ District- Muzaffarpur

1. BITTU KUMAR @ AMIT KUMAR Son of Baiju Sah Resident of Village- Nawanagar, P.S.- Shebganj, District- Muzaffarpur.
2. Amit Kumar Son of Late Prabhu Sah Resident of Village- Nawanagar, P.S.- Shebganj, District- Muzaffarpur.
3. Shubham Kumar Son of Manoj Kumar Resident of Village- Nawanagar, P.S.- Shebganj, District- Muzaffarpur.
4. Sahil Kumar Son of Manoj Kumar Resident of Village- Nawanagar, P.S.- Shebganj, District- Muzaffarpur.
5. Nishant Kumar @ Raja Son of Ajgaivi Nath @ Ajgaivi Nath Prasad Resident of Village- Himmatpatti Parsauni, P.S.- Sahebganj, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nachiketa Jha, Adv.
For the Opposite Party/s : Mr.H.A. Khan, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-04-2022 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 under Sections 147, 148, 149, 323, 341, 342, 325, 353, 307, 504, 506 of the Indian Penal Code.



Allegedly, 14 F.I.R. named and around 40 to 50 unknown accused persons attacked the informant by bricks causing injury.

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 dirty village politics. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. It is submitted that the alleged occurrence took place on 13.10.2016 but the same was produced before the learned Magistrate on 17.10.2016 i.e. after a delay of four days without giving any plausible explanation. 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, considering the delay of four days in sending the FIR and that there is no specific allegation against the petitioners, 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 Sahebganj P.S. Case No.232/2016 (G.R. No.2410/2016), subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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