

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51424 of 2021

Arising Out of PS. Case No.-163 Year-2021 Thana- BIHIA District- Bhojpur

1. JAIRAM RAM S/o- Subedar Ram Resident of Village- Mishroli, P.S.- Bihiya, District- Bhojpur.
2. Santosh Ram @ Santosh Kumar S/o- Subedar Ram Resident of Village- Mishroli, P.S.- Bihiya, District- Bhojpur.
3. Pappu Kumar S/o- Subedar Ram Resident of Village- Mishroli, P.S.- Bihiya, District- Bhojpur.
4. Vikash Kumar S/o Awadesh Ram Resident of Village- Mishroli, P.S.- Bihiya, District- Bhojpur.
5. Vishal Kumar S/o Awadesh Ram Resident of Village- Mishroli, P.S.- Bihiya, District- Bhojpur.
6. Suman Kumar S/o- Lakhan Ram Resident of Village- Mishroli, P.S.- Bihiya, District- Bhojpur.
7. Rishi Kumar @ Rishikesh Kumar S/o- Lakhan Ram Resident of Village- Mishroli, P.S.- Bihiya, District- Bhojpur.
8. Lakhan Prasad S/o- Bhukan Ram Resident of Village- Mishroli, P.S.- Bihiya, District- Bhojpur.
9. Awadesh Ram S/o- Hira Ram Resident of Village- Mishroli, P.S.- Bihiya, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Praveen Kumar, Advocate
For the Informant	:	Mr. Vikramdeo Singh, Advocate
		Mr. Shiv Prasad Gupta, Advocate
For the State	:	Mr. Ramchandra Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 21-06-2022 At the very outset, learned counsel for the petitioners seeks permission to withdraw this application in respect of petitioner nos.1 & 5, submitting that during pendency of this application petitioner nos.1 & 5 have been apprehended by the



police.

Permission is granted.

Accordingly, this application is dismissed as withdrawn in respect of petitioner nos. 1 & 5.

Now this application survives for petitioner nos.2 to 4 and 6 to 9.

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, 341, 323, 379, 504 & 506 of the Indian Penal Code but later on Section 302 IPC was added.

Petitioners are said to have come to the house of the informant and started abusing and on being prohibited by informant and his elder brothers co-accused Ashok Kumar inflicted lathi blow on the head of informant's brother and sustaining injury he fell down.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. The direct allegation is against



co-accused Ashok Kumar. There is case and counter case between the parties. Petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, 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 lower Court where the case is pending/successor Court in connection with Behiya P.S. Case No.163 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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