

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55217 of 2021

Arising Out of PS. Case No.-99 Year-2021 Thana- PARASBIGHA District- Jehanabad

1. LADDU KUMAR Son of Shrawan Saw Resident of Village- Dodiya, P.s.- Paras Bigha, District- Jehanabad.
2. RAJ KISHORE KUMAR @ KISHORE KUMAR @ KISHORE Son of Shrawan Saw Resident of Village- Dodiya, P.s.- Paras Bigha, District- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Anuj Kumar, Advocate
For the Opposite Party/s :	Mr.Dilip Kumar No.1, APP
	Mr.Shashank Shekhar Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 30-06-2022 Heard learned counsel for the petitioners, learned counsel for the informant and learned APP 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 447, 341, 323, 302, 379, 504/34 of the Indian Penal Code.

Allegedly, the FIR named accused persons including the



petitioners have assaulted the son of the informant, who died during course of treatment.

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. 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. The specific allegation is against the co-accused Vikash Kumar to have assaulted the informant's son on his head by means of iron rod. It is submitted that the parties are agnates and there is an admitted land dispute between the parties. Petitioners have no criminal antecedent.

Learned APP for the State as well as learned counsel for the informant opposed the prayer for anticipatory bail by submitting that the petitioners were also present at the place of occurrence.

Having regard to the facts and circumstances of the case, since there is no specific overt act 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 Parasbigha P.S. Case No.99 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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