

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45459 of 2022

Arising Out of PS. Case No.-254 Year-2022 Thana- MALSALAMI District- Patna

1. MANNI KUMAR Son of Kailash Rai Resident of Village - Rikabganj, P.s.- Malsalami, Distt.- Patna.
2. Sanny Kumar Son of Kailash Rai Resident of Village - Rikabganj, P.s.- Malsalami, Distt.- Patna.
3. Dilip Rai @ Dilip Kumar Son of Kailash Rai Resident of Village - Rikabganj, P.s.- Malsalami, Distt.- Patna.

... .. Petitioners.

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Chandra

For the Opposite Party/s : Mr.Parmanand Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-11-2022 Heard learned counsel for the petitioners and learned A.P.P. for the State.

Learned counsel for the petitioners undertakes to remove the defect (s), as pointed out by the office, within a period of four weeks.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 307, 504, 506 & 120B of the Indian Penal Code and Section 27 of the Arms Act.

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



omnibus in nature, whereas there is allegation against the petitioner and others is that they were throwing bricks and stone. The specific allegation is attributed against co-accused, Binod Kumar. Petitioners being the member of the mob are said to have pelted stone. Similarly situated co-accused, namely, Manoj Kumar has been enlarged on bail by this court vide order dated 14.11.2022 passed in Cr. Misc. No. 45371 of 2022. Petitioner nos.2 and 3 have no criminal antecedent, whereas petitioner no.1 has one criminal antecedent as mentioned in para-3 of this application.

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 Court below where the case is pending/successor Court in connection with Malsalami P.S. Case No. 254 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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