

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54527 of 2021

Arising Out of PS. Case No.-314 Year-2016 Thana- BARACHATTI District- Gaya

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1. BRAJESH PRASAD SON OF RAMESHWAR PRASAD R/O VILLAGE-CHANDA, P.S.- BARACHATTI, DISTRICT- GAYA
 2. REKHA DEVI @ REKHA KUMARI WIFE OF BRAJESH PRASAD R/O VILLAGE- CHANDA, P.S.- BARACHATTI, DISTRICT- GAYA
 3. JAYNANDAN PRASAD SON OF BHAJU MAHTO R/O VILLAGE-CHANDA, P.S.- BARACHATTI, DISTRICT- GAYA
 4. SONU KUMAR SON OF JAYNANDAN PRASAD R/O VILLAGE-CHANDA, P.S.- BARACHATTI, DISTRICT- GAYA
 5. PAWAN KUMAR @ PAWAN YADAV SON OF UMESH YADAV R/O VILLAGE- CHANDA, P.S.- BARACHATTI, DISTRICT- GAYA

... .. Petitioner/s

Versus

1. The State of Bihar
2. LALESHWAR PRASAD SINGH SON OF LATE JAGDISH SINGH R/O VILLAGE- CHANDA, P.S.- BARACHATTI, DISTRICT- GAYA

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Arvind Kumar Singh, Adv. Mr.Mukul Jee, Adv.
For the Opposite Party/s :		Mr.Umanath Mishra, APP. Mr. Shiva Shankar Sharma, Adv. Mr. Arun Kumar Sinha, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 09-11-2022 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

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

Petitioners apprehend their arrest in a case registered for
offence punishable u/s 147, 149, 341, 323, 379, 353, 354 and
504 IPC.



Allegedly, petitioners are said to have helped the co-accused Kapildev Prasad in abusing and assaulting the wife of informant for demand of share of rice from the Government Sponsored Scheme of Mid Day Meal.

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 village party-politics. No such occurrence, in the manner as alleged, has ever taken place. Learned counsel for the petitioners further submits that earlier the petitioners were granted the benefit of section 41(i) Cr.P.C. After investigation, charge sheet was submitted against the petitioners. There is general and omnibus allegation against the petitioners. The specific allegation is against the co-accused Kapildev Prasad. 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 allegation against the petitioners in this 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 Barachtti P.S. Case No. 314/2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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