

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49102 of 2022

Arising Out of PS. Case No.-59 Year-2022 Thana- PALANWA District- East Champaran

1. BRIJALAL PRASAD @ BRIJLAL PRASAD SON OF LATE NARSINGH TURHA R/O VILLAGE- BHELAHI, P.S.- PALANWA (BHELAHI O.P.), DISTRICT- EAST CHAMPARAN-845305
2. HIMALAYA KUMAR SON OF BRIJALAL PRASAD @ BRIJLAL PRASAD R/O VILLAGE- BHELAHI, P.S.- PALANWA (BHELAHI O.P.), DISTRICT- EAST CHAMPARAN-845305

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brajesh Kumar Singh
For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-12-2022 Heard learned counsel for the petitioners as well as learned APP for the State.

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

The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 379, 341, 323, 324, 504, 307, 506/34 of the Indian Penal Code.

Allegedly, all the FIR named accused persons including the petitioners have indiscriminately assaulted the informant's side by means of various weapons.

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 levelled against the petitioners is not specific rather general and omnibus in nature. He further submits that there is a case and counter-case between the parties and both sides have sustained injuries. The injuries are simple in nature, which is also evident from the impugned order. Petitioners have no criminal antecedent, which is also mentioned in paragraph-3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, since the injuries are simple in nature and there is case and counter-case between the parties, 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 Palanwa (Bhelahi) P.S. Case No.59



of 2022, subject to the conditions as laid down under Section
438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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