

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49702 of 2022

Arising Out of PS. Case No.-165 Year-2022 Thana- KUDRA District- Kaimur (Bhabua)

1. GUPTESHWAR SAH Son of Late Saryu Sah R/O Village - Lalapur, P.S.- Kudra, District - Kaimur at Bhabua
2. Vinay Kumar Son of Gupteshwar Sah R/O Village - Lalapur, P.S.- Kudra, District - Kaimur at Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Vinod Kumar Seth, Adv.
For the Opposite Party/s :	Mr.Nawal Kishore Prasad, APP.
	Mr. Randhir Kumar No.1, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-12-2022 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 341, 323, 307, 324, 325, 379/34 of IPC.

Allegedly, the accused persons named in F.I.R. including the petitioners with common intention to kill variously armed with garasa, iron, rod etc. attacked the informant and inflicted injury to the informant.

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. The prosecution



case is wholly false and concocted. No such occurrence, in the manner as alleged, has ever taken place. It is further stated that the present case is the counter blast case of Kudra P.S. Case No. 166/2022 in which petitioner no.2 is informant. Though the allegation against petitioners is of assaulting the informant by different means but as per the injury report, the injury is simple in nature. 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 the injury is simple in nature, 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 Kudra P.S. Case No.165 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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