

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60844 of 2021

Arising Out of PS. Case No.-100 Year-2021 Thana- JAMOBABAZAR District- Siwan

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1. MURLIDHAR PRASAD SON OF LATE JAGARNATH PRASAD
RESIDENT OF VILLAGE- RAGHUNATHPUR, P.S.- JAMO BAZAR,
DIST.- SIWAN
 2. ARJUN PRASAD SON OF LATE JAGARNATH PRASAD RESIDENT OF
VILLAGE- RAGHUNATHPUR, P.S.- JAMO BAZAR, DIST.- SIWAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumari Anupam, Adv.

For the Opposite Party/s : Mr.Narendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 06-07-2022 Heard the parties.

At the very outset, learned counsel for the petitioners seeks permission to withdraw the prayer for anticipatory bail of the petitioner no.1, as he has already been arrested.

Permission is granted.

Accordingly, the prayer for anticipatory bail made through the instant application, on behalf of the petitioner no.1 is dismissed as withdrawn.

Now, the present application is being heard for consideration of anticipatory bail of petitioner no.2 only.

The petitioner no.2 apprehends his arrest in a case registered for the offence punishable under Sections 147, 148,



341, 323, 324, 325, 307, 379, 504, 506 of the IPC.

Allegedly, all the FIR named accused persons including the petitioners armed with deadly weapons, indiscriminately assaulted the informant with a common intention to kill him. When the informant's cousin and brother tried to save him, the accused persons assaulted them also. In the said occurrence, the informant has sustained several injuries.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case due to local village politics. Both parties are agnates and there is an admitted land dispute between them. For the alleged occurrence there is also a case and counter-case between the parties. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. The specific allegation is against co-accused Sujeet Kumar and Arjun Prasad. The injuries are simple in nature. Petitioner has no criminal antecedent.

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

Having regard to the facts and circumstances of the case, let the above named petitioner no.2 be released on bail, in the



event of his 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) 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 Jamo Bazar P.S. Case No.100 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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