

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54747 of 2022

Arising Out of PS. Case No.-265 Year-2022 Thana- JAGDISHPUR District- Bhojpur

1. Suraj Kumar Son of Manohar Prasad Resident of Village- Jagdishpur, P.S.- Jagdishpur, District- Bhojpur
2. Manohar Prasad Son of Late Hiralal Sah Resident of Village- Jagdishpur, P.S.- Jagdishpur, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ghanshyam Tiwary, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 15-12-2022 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioners undertakes to
remove the defects within three weeks.

The petitioners are apprehending their arrest in a case
registered for the offence punishable under Sections 341, 323,
324, 386 and 34 of the Indian Penal Code.

As per the prosecution case, in brief, that allegation
on petitioner no.1 is that he fired upon informant with intention
to kill but the firing was fortunately misfired and the allegation
on petitioner no.2 is that he assaulted with iron rod on the head
of informant namely, Rohit Singh.



Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He submits that there is case and counter case between the parties. Earlier the petitioners have filed F.I.R. but the police has not registered F.I.R., then he moved before S.P. and on the direction of S.P., F.I.R was lodged against the informant and other persons. He further submits that there is general and omnibus allegation levelled against the petitioner no.1 who fired upon the informant but fortunately misfired and the allegation against the petitioner no.2 is that he assaulted by means of iron rod. He further submits that the injury report is simple in nature. He further submits that petitioners have no criminal antecedent as stated in para-3 of this application.

Learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances of the case and the fact that both sides have sustained injuries, let the above named petitioners in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bonds 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 Jagdishpur P.S. Case No. 265 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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