

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58691 of 2022

Arising Out of PS. Case No.-157 Year-2022 Thana- MINAPUR District- Muzaffarpur

1. NITESH KUMAR S/o Satya Narayan Paswan R/V- Ali Neura Ward no. 6, P.S.- Minapur, Distt-Muzaffarpur.
2. Binod Sah S/o Ram Chandra Sah R/V- Ali Neura Ward no. 6, P.S.- Minapur, Distt-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Ravi Ranjan
For the Opposite Party/s :	Mr. Awadhesh Kumar Singh
	Mrs. Priya Gupta

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-12-2022 Heard learned counsel for the petitioners, learned counsel for the informant and learned Additional Public Prosecutor for the State.

The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 341, 323, 379, 354, 363, 511, 504, 506/34 of the Indian Penal Code.

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 submits that the occurrence



took place on 13.03.2022 and the FIR was lodged on 07.04.2022 i.e. after a delay of 24 days, without giving any plausible explanation regarding the said delay which creates a serious doubt on the genuineness of the prosecution case. He further submits that earlier mother of the petitioner had filed a case against the informant's side. Petitioners have no criminal antecedent.

Learned APP for the State as well as learned counsel for the informant have opposed the prayer for anticipatory bail by submitting that petitioners have suppressed their criminal antecedent.

Having regard to the facts and circumstances of the case, as there is an inordinate delay of 24 days in lodging the FIR, 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 Minapur P.S. Case No.157 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

However, learned court below is directed to verify the



criminal antecedent of the petitioners before accepting the bail bonds. If the petitioners have any criminal antecedent, their bail bonds shall not be accepted.

(Anjani Kumar Sharan, J)

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