

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2835 of 2023

Arising Out of PS. Case No.-64 Year-2021 Thana- KHUDWA District- Aurangabad

1. Anuj Kumar, Son of Bhim Sharma, R/V- Dihuri, P.S- Khudwan , Dist- Aurangabad Bihar
2. Butan Kumar, Son of Bhim Sharma, R/V- Dihuri, P.S- Khudwan , Dist- Aurangabad Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarva Deo Singh, Advocate

For the Opposite Party/s : Md. Shakir Ahmad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 09-05-2023 Heard learned counsels for the petitioners and the State.

Petitioners apprehend arrest in a case registered for the offences punishable under Sections 341, 323, 324, 379, 504/34 of the Indian Penal Code and later on Section 307 of the Indian Penal Code was added.

As per prosecution case, on the alleged date and time of the occurrence, all the F.I.R. named accused persons including these petitioners, armed with weapons, reached the house of the informant. It is alleged that petitioner No. 1 assaulted the informant with butt of pistol as a result of which, he sustained injury and thereafter, all the accused persons



assaulted his with fists and slaps.

Learned counsel appearing for the petitioners submits that petitioners are innocent and have falsely been implicated in the present case. He next submits that though there is allegation of assault against petitioner No. 1 but no corresponding injury has been found by the doctor on the injured person. Police after investigation submitted final form. Petitioners have got clean antecedent.

Considering the aforesaid facts and circumstances, let the above named petitioners in the event of their arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st Class, Daudnagar, District Aurangabad in connection with Trial No. 1881 of 2021 arising out of Khudwa P. S. Case No. 64 of 2021 (G.R. No. 1061 of 2021), subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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