

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2675 of 2023

Arising Out of PS. Case No.-120 Year-2020 Thana- BITHAN BAZAR District- Samastipur

1. AJAY KUMAR Son of Ramesh Sah Resident of Village- Pushaho, P.S.- Bithan, District- Samastipur
2. VIJAY KUMAR Son of Jogindar Sah Resident of Village- Pushaho, P.S.- Bithan, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhimanyu Sharma
For the Opposite Party/s : Mr. Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 09-02-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 341, 342, 323, 324, 307, 504, 506 of the Indian Penal Code.

Allegation against the petitioners is that they have assaulted the daughter of the informant. Petitioner no. 1 has assaulted the daughter of the informant by means of iron rod and petitioner no.2 with the *danda* on her head.

Learned counsel for the petitioners submits that the petitioners have falsely been implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. It is further submitted that



during the course of investigation not a single independent witness has come forward to support the prosecution case, especially when the occurrence took place in broad day light and public view. He also submits that the petitioners have no criminal antecedent as mentioned in para-3 of this application.

Having regard to the facts and circumstances of the case and the fact that there is no specific overt act against the petitioners, 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 lower Court where the case is pending/successor Court in connection with Bithan P.S. Case No.120 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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