

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.3679 of 2023**

Arising Out of PS. Case No.-84 Year-2020 Thana- KURSAILA District- Katihar

1. SHAMBHU YADAV Son of Moti Yadav R/o- Sadhwa, P.S.- Gopalpur (Rangra), Dist- Bhagalpur
2. GILTA SINGH @ GILTU KUMAR SINGH Son of Dinesh Singh R/o Panchkhuti, P.S.- Kursela, Dist- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Sanjeev Kumar Singh

For the Opposite Party/s : Mr. Anil Kumar

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      10-02-2023      Heard learned counsel for the petitioners as well as learned APP for the State.

The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 447, 341, 323, 307, 147, 148, 149, 379 of the Indian Penal Code.

As per the FIR, the accused persons assaulted the informant and his father by means of several weapons. It is also alleged that they shot fire upon the head of the informant due to which he got injured.

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 due to dirty



village politics. 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. There is no specific overt act against the petitioners. The petitioners are not named in the FIR and their names transpired in the present case during the course of investigation. He further submits that from the perusal of the FIR, it is clear that the specific allegation is against co-accused Chotte to fire upon the informant. He further submits that the doctor has not found gun shot injury on the part of the informant and as such injury of both the injured persons are found lacerated wound caused by hard and blunt substance which is simple in nature. Petitioners have one criminal antecedent, as also mentioned in para-3 of the bail application.

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

Having regard to the facts and circumstances of the case, as 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 court below where the case is pending/Successor Court in connection with Kursela P.S. Case No.84 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**(Anjani Kumar Sharan, J)**

shikha/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

