

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3487 of 2023

Arising Out of PS. Case No.-187 Year-2022 Thana- MAHUA District- Vaishali

1. SURENDRA SINGH @ SURENDRA PRASAD SINGH S/O NAGESHWAR SINGH R/v- Gauspur, Chak Majahid, P.S.- Mahuwa, District- Vaishali
2. RANDHIR KUMAR @ RANDHIR KUMAR SINGH S/o Surendra Singh @ Surendra Prasad Singh R/v- Gauspur, Chak Majahid, P.S.- Mahuwa, District- Vaishali
3. ARTI DEVI W/o Randhir Kumar @ Randir Kumar Singh R/v- Gauspur, Chak Majahid, P.S.- Mahuwa, District- Vaishali

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Rupa Kumari

For the Opposite Party/s : Mr. Umeshanand Pandit

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 341, 323, 325, 307, 427, 379, 354B, 504, 506/34 of the Indian Penal Code.

The allegation against the petitioners is that they have indiscriminately assaulted the informant's side by means of several weapons due to which they sustained injuries.

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 property dispute. 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. There is a case and counter-case between the parties and both sides have sustained injuries. He submits that earlier the petitioner's side have filed a case against the informant's side thereafter the present case has been filed by the informant, as also evident from annexure-2 of the bail application. He further submits that the both the petitioner no.1 and the informant are own brothers and there is a compromise between the parties. Petitioners have no criminal antecedent, which is 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, 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 Mahuwa P.S. Case No.187 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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