

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3931 of 2023

Arising Out of PS. Case No.-809 Year-2021 Thana- TURKAULIYA District- East
Champaran

1. Shambhu Prasad Son Of Late Baidyanath Prasad Resident Of Village - Madhopur Madhumalat, P.S.- Turkauliya, Dist.- East Champaran.
2. Ranjeet Kumar @ Ranjeet Shrivastav @ Ranjeet Kr. Shrivastwa Son Of Shambhu Prasad Resident Of Village - Madhopur Madhumalat, P.S.- Turkauliya, Dist.- East Champaran.
3. Rahul Kumar Son Of Shambhu Prasad Resident Of Village - Madhopur Madhumalat, P.S.- Turkauliya, Dist.- East Champaran.
4. Manohar Kumar Gupta @ Manohar Kumar Son Of Yadolal Sah Resident Of Village - Madhopur Madhumalat, P.S.- Turkauliya, Dist.- East Champaran.
5. Sawan Kumar @ Rajesh Kumar Son Of Ramadhar Bhagat Resident Of Village - Madhopur Madhumalat, P.S.- Turkauliya, Dist.- East Champaran.
6. Dhiraj Kumar @ Dhiraj Kumar Srivastav Son Of Girja Prasad Resident Of Village - Madhopur Madhumalat, P.S.- Turkauliya, Dist.- East Champaran.
7. Rangeela Thakur Son Of Laxmi Thakur Resident Of Village - Madhopur Madhumalat, P.S.- Turkauliya, Dist.- East Champaran.
8. Alok Kumar Son Of Late Lalbabu Prasad Resident Of Village - Madhopur Madhumalat, P.S.- Turkauliya, Dist.- East Champaran.
9. Ali Sher Devan Son Of Mokhtar Devan Residence Of Village - Madhopur Tansariya, P.S.- Turkauliya, Dist.- East Champaran.
10. Md. Nurullah @ Munna Alam @ Munna Devan Son Of Serajul Devan Residence Of Village - Madhopur Tansariya, P.S.- Turkauliya, Dist.- East Champaran.
11. Anwar Alam @ Anwar Dewan Son Of Najir Dewan Residence Of Village - Madhopur Tansariya, P.S.- Turkauliya, Dist.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binay Kumar
For the Opposite Party/s : Mr. Syed Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-05-2023 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, 148, 149, 341, 342, 323, 324, 307, 354, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation against the petitioners is that they along with other co-accused persons assaulted the informant's side. It is further alleged that petitioner no. 1 is the order giver and petitioner no. 5 has snatched Rs. 5,000/- from the pocket, a gold chain and watch from the informant.

Learned counsel for the petitioners submits that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that there is case and counter case between the parties. He further submits that there is specific allegation of firing against co-accused Rikesh Kumar. Petitioners no. 1 has got two criminal antecedents, petitioner no. 7 has got one criminal antecedent and petitioners no. 2, 3, 4, 5, 6, 8, 9, 10 and 11 have got no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposes prayer for anticipatory bail.



Having regard to the facts and circumstances of the case and the fact that there is no specific allegation against the petitioners and injury was found simple in nature, 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 Turkauliya P.S. Case No.809 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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