

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8587 of 2023

Arising Out of PS. Case No.-43 Year-2020 Thana- ANTICHAK District- Bhagalpur

1. ABHISHEK ANAND @ GAURAV KUMAR S/O BIDYA PRASAD MANDAL Resident of Village- Orimap, P.S.- Antichak, District- Bhagalpur.
2. NITYANAND CHAURASIA @ NIKHLESH KUMAR @ NIKHILESH KUMAR S/O ADYA PRASAD MANDAL Resident of Village- Orimap, P.S.- Antichak, District- Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Manoj Kumar, Adv.
For the Opposite Party/s : Mr.Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 09-05-2023 Heard learned counsel for the parties.

Petitioners apprehend their arrest in a case registered for offence punishable u/s 341, 323, 354B, 379, 504, 506/34 IPC.

As per the prosecution case, two accused entered into the house of the informant and tried to outrage her modesty and on alarm, her family members came to save her. Thereafter, the accused persons including the petitioners assaulted the husband of the informant with iron rod and looted the valuable articles and ornaments from her house.

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 land



dispute. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. There is a land dispute between the parties. Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since 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 Antichak P.S. Case No.43 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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