

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9570 of 2023

Arising Out of PS. Case No.-566 Year-2022 Thana- GAURICHAK District- Patna

1. Binod Ram Son Of Late Surat Ram Resident Of Village - Kamarji, P.S.- Gourichak, District - Patna.
2. Shyam Karan @ Shyam Karan Kumar Son Of Binod Ram Resident Of Village - Kamarji, P.S.- Gourichak, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjit Kumar Thakur, Advocate
For the Opposite Party/s : Mr. Dilip Kumar No.1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 20-04-2023 Heard learned counsel for the petitioners and learned

APP for the State assisted by learned counsel for the informant.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 149, 341, 323, 324, 307 and 504 of the Indian Penal Code.

As per the prosecution case, the petitioners along with other co-accused persons came at the newly constructed house of the informant and started demolishing the bamboo. On protest, they assaulted the informant from kudal and iron rod. When the son of the informant came to save the informant, they also assaulted informant's son with kudal and iron rod.

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 a case and counter case between the parties, both sides have sustained injuries and injury was found simple in nature. He submits that both parties are agnates. Petitioners have two criminal antecedents as mentioned in para-3 of this application.

Learned APP for the State as well as learned counsel for the informant oppose prayer for anticipatory bail.

Considering the facts and circumstances of the case and the fact that there is case and counter case between the parties, 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 Gourichak P.S. Case No. 566 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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