

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8601 of 2023

Arising Out of PS. Case No.-232 Year-2021 Thana- RASULPUR District- Saran

1. TARKESHWAR SHAHI SON OF LATE RAJA SHAHI R/O VILLAGE-DEOPURA, P.S.- RASULPUR, DISTRICT- SARAN
2. RAMESHWAR SHAHI @ RAM ISHWAR SHAHI SON OF LATE RAJA SHAHI R/O VILLAGE- DEOPURA, P.S.- RASULPUR, DISTRICT- SARAN
3. PRABHA SHANKAR SHAHI SON OF RAM ISHWAR SHAHI @ RAMESHWAR SHAHI R/O VILLAGE- DEOPURA, P.S.- RASULPUR, DISTRICT- SARAN
4. LAV SHAHI SON OF RAM ISHWAR SHAHI @ RAMESHWAR SHAHI R/O VILLAGE- DEOPURA, P.S.- RASULPUR, DISTRICT- SARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Deepak Kumar, Adv.

For the Opposite Party/s : Mr.Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

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

The petitioners apprehend their arrest in a case registered for the offence punishable u/s 341/323/504/307/34 IPC.

As per the prosecution case, on the order of petitioner no.1, one Manish Shahi assaulted the informant by means of iron rod. It is alleged that the named accused persons assaulted the members of the informant's side.

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 Panchayat election. 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. The injuries have been found to be simple in nature. Injury of one of the injured namely Shashi Bhushan Shahi @ Pappu Shahi was found grievous in nature but the same is attributable upon the co-accused Sunil Shahi. It is further submitted that there is case and counter-case between the parties. Petitioners have no criminal antecedent except petitioner no.2, who has one criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since the injuries are 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 court below where the case is pending/Successor Court in connection with Rasulpur P.S. Case No.232 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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