

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11262 of 2023

Arising Out of PS. Case No.-306 Year-2020 Thana- TRIVENIGANJ District- Supaul

1. Shashi Shankar Suman @ Shashi Shankar Kumar S/O Mahendra Yadav
Resident Of Village- Jarela, Ward No.- 6, P.S.- Triveniganj, District- Supaul.
2. Mahendra Kumar Yadav @ Mahendra Yadav S/O Late Janjir Lal Yadav
Resident Of Village- Jarela, Ward No.- 6, P.S.- Triveniganj, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nafisuzzoha, Advocate

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 25-04-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 341, 323, 324, 354A, 379, 504 and 506 of the Indian Penal Code.

Allegation against petitioner no. 1, who assaulted the informant by Dabiya as well as his wife by catching her hair and allegation against petitioner no.2, who assaulted the informant by means of lathi.

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 the petitioners and the informant are close agnates and there is admitted land dispute between the parties. He submits



that the Investigating Officer did not found the case true against the petitioner no. 1 and he has not sent up for trial but on the other hand the I.O. found case true against petitioner no. 2, but the learned Court Below by differing the police report took cognizance against both the petitioners. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposes prayer for anticipatory bail.

Considering the facts and circumstances of the case and the fact that there is no specific overt act against the petitioner, 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 Triveniganj P.S. Case No. 306 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

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