

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15147 of 2023

Arising Out of PS. Case No.-334 Year-2022 Thana- KARAHGAR District- Rohtas

1. Shubham Kumar S/O Shivji Prasad R/V- Babhani, P.S.- Kargahar, District- Rohtas
2. Ganesh Prasad S/O Late Prahlad Prasad R/V- Babhani, P.S.- Kargahar, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Rajani Kant Singh
For the Opposite Party/s :	Mr. Md. Mushtaque Alam
	Mr. Uday Chand Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 16-05-2023 Heard learned counsel for the petitioners and learned

A.P.P. 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, 325, 307, 354, 448, 379, 504 and 506 of the Indian Penal Code.

As per the prosecution case, allegation against petitioner no. 1 is that he had assaulted the informant and her husband with iron rod and also tried to outrage her modesty. It is further alleged that petitioner no. 2 tried to assault the husband of the informant with sword but he managed to escape.

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 submit that both sides have sustained grievous injury, it is clear from Annexure-3 series of the bail application. Petitioner no. 1 has got two criminal antecedents and petitioner no. 2 has got three criminal antecedents as mentioned in para-3 of this application.

Learned APP for the state as well as learned counsel for the informant opposed prayer for anticipatory bail.

Having regard to the facts and circumstances of the case and the fact that both sides have sustained grievous injury, 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 Kargahar P.S. Case No.334 of 2022, 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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