

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13681 of 2023

Arising Out of PS. Case No.-211 Year-2022 Thana- CHANDAN District- Banka

1. SRIKANT DAS SON OF SHRAVAN DAS R/O VILLAGE- PELWA, P.S.- CHANDAN, DISTRICT- BANKA
2. VIJAY DAS @ BIJAY KUMAR DAS SON OF RANJIT DAS R/O VILLAGE- PELWA, P.S.- CHANDAN, DISTRICT- BANKA
3. MUSAFIR DAS SON OF SURESH DAS R/O VILLAGE- PELWA, P.S.- CHANDAN, DISTRICT- BANKA
4. DINESH DAS SON OF ARJUN DAS R/O VILLAGE- PELWA, P.S.- CHANDAN, DISTRICT- BANKA
5. BHAIRO DAS SON OF SURESH DAS R/O VILLAGE- PELWA, P.S.- CHANDAN, DISTRICT- BANKA
6. SANJIT DAS SON OF ARJUN DAS R/O VILLAGE- PELWA, P.S.- CHANDAN, DISTRICT- BANKA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad

For the Opposite Party/s : Mr. Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-05-2023 Heard the parties.

Learned counsel for the petitioners seek permission to withdraw this application as against petitioner nos.2 and 4, as they have been arrested by the police during the pendency of the bail application.

Permission is granted.

Accordingly, this application as against the petitioner nos.2 and 4 is dismissed as withdrawn.



Now, this application is being heard with regard to the rest of the petitioners only.

The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 147, 149, 341, 323, 307, 324, 504, 506 of the Indian Penal Code.

As per the FIR, the petitioners assaulted the informant and his family members by means of several weapons due to which they sustained injuries.

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. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is a case and counter-case between the parties and both sides have sustained grievous injuries. He further submits that similarly situated co-accused has been granted anticipatory bail by this Court vide order dated 28.04.2023 passed in Cr. Misc. No.13082 of 2023. Petitioners have one criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case,



let the above named petitioner nos.1, 3, 5 and 6, 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 Chandan P.S. Case No.211 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

This application is accordingly, partly allowed.

(Anjani Kumar Sharan, J)

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