

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11459 of 2023

Arising Out of PS. Case No.-338 Year-2020 Thana- BASANTPUR District- Siwan

=====

HARI KISHORE RAI @ HARI KISHORE PRASAD S/O SAKALDEO RAI
R/v- Jalapur, P.S.- Lakri Nabiganj O.P., District- Siwan

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

with
CRIMINAL MISCELLANEOUS No. 13273 of 2023

Arising Out of PS. Case No.-338 Year-2020 Thana- BASANTPUR District- Siwan

=====

SANDEEP KUMAR @ SANDEEP MAHTO @ SANDEEP KUMAR
MAHTO SON OF LOHA MAHTO R/O VILL.- JALAPUR, P.S.- LAKRI
NABIGANJ O.P., DISTT.- SIWAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

(In CRIMINAL MISCELLANEOUS No. 11459 of 2023)

For the Petitioner/s : Mr.Gajendra Kumar Singh, Adv.

For the Opposite Party/s : Mr.Uday Chand Prasad, APP.

(In CRIMINAL MISCELLANEOUS No. 13273 of 2023)

For the Petitioner/s : Mr.Gajendra Kumar Singh, Adv.

For the Opposite Party/s : Mr.Shyameshwar Dayal, APP.

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-05-2023 As both these bail applications have cropped up from the same police station case number, hence, with consent of parties, they are being heard together and disposed of by this common order.

Heard learned counsel for the petitioners and learned
A.P.P. for the State.



The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 302, 379, 337 and 504/34 of the Indian Penal Code.

Allegedly, after some altercation, petitioners along with other accused persons started abusing the informant. On objection, they assaulted her and her family members.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. Both the parties are *pattidars*. No such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is case and counter case between the parties. It is further submitted that after the investigation, the police has filed the final form against the petitioners but the learned Court below differing from the final form took cognizance against them. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, as the police has filed final form against the petitioners, 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 Basantpur (LNG) P.S. Case No. 338 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

divyanshi/-

U		T	
---	--	---	--

