

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12644 of 2023

Arising Out of PS. Case No.-206 Year-2021 Thana- BHARGAMA District- Araria

1. RAHUL KUMAR S/O Babloo Yadav R/O Village- Khajuri, P.S- Bhargama, District- Araria
2. Ganesh Kumar S/O Jaynandan Yadav R/O Village- Khajuri, P.S- Bhargama, District- Araria
3. Raja Kumar S/O Jaynandan Yadav R/O Village- Khajuri, P.S- Bhargama, District- Araria

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gopal Kumar Jha, Adv.
For the Opposite Party/s : Mr.Rina Sinha, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 26-06-2023 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 147, 148, 149, 341, 323, 307, 324, 427, 448, 380, 389, 504, 506 of the Indian Penal Code and Section 25(1-B)a, 26, 35, 27 of the Arms Act.

Allegedly, petitioners, along with other accused persons, assaulted the informant and his family members by means of deadly weapons. One co-accused Golu Kumar was caught on spot while his other associates succeeded in fleeing away from there leaving their motorcycles. On information, the police party



came there and co-accused Golu Kumar has been arrested by the police. Two motorbikes, one country made pistol, one live cartridge, one empty cartridge have been recovered from the place of occurrence.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. 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 admitted land dispute between the parties. Petitioners have no concern with the alleged occurrence. The injuries sustained by the victims are simple in nature, which is also evident from the injury report enclosed in the case diary. 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 and considering the nature of the injuries, 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
Bhargama P.S. Case No. 206 of 2021, subject to the condition as
laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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