

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16308 of 2023

Arising Out of PS. Case No.-36 Year-2022 Thana- GUTHANI District- Siwan

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1. RITESH UPADHYAY @ RITESH KUMAR UPADHYAY Son of Late Kanhaiya Upadhyay Resident of Village and P.O. and P.S.-Guthani, District-Siwan
 2. PAWAN UPADHYAY Son of Late Kamlesh Upadhyay Resident of Village and P.O. and P.S.-Guthani, District-Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Dwivedi, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-06-2023 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 341, 323, 324, 307, 427, 504 & 506/34 of the Indian Penal Code.

All the F.I.R. named accused persons including these petitioners in furtherance of their common intention armed with deadly weapons are said to have assaulted the informant and his family members with intention to kill them.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to land



dispute. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is admitted land dispute between the parties. Both sides have filed cases against each other. Both sides have sustained injury. The injury sustained by the victim is simple in nature. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Having regard to the facts and circumstances of the case, 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 Guthani P.S. Case No.36 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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