

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18398 of 2023

Arising Out of PS. Case No.-278 Year-2022 Thana- SINGHESHWAR District- Madhepura

1. BALRAM KUMAR SON OF SRI ASHOK MANDAL R/O VILLAGE-BAIRBABA, WARD NO.6, P.S.- SINGHESHWAR, DISTRICT-MADHEPURA
2. KRISHNA KUMAR SON OF SRI ASHOK MANDAL R/O VILLAGE-BAIRBABA, WARD NO.6, P.S.- SINGHESHWAR, DISTRICT-MADHEPURA

... .. Petitioners.

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aditya Prakash Sahay, Advocate
For the Opposite Party/s : Mr. Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 03-07-2023 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, 379, 504 & 506/34 of the Indian Penal Code.

The allegation against these petitioners is that in association of other co-accused they assaulted the husband of the informant sustaining injury to him.

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 dirty local politics. The allegation levelled against the petitioners is



not specific rather general and omnibus in nature. As a matter of fact, the petitioners are said to have inflicted injuries on the head of the victim but the injury report does not support this fact as such allegations made in the F.I.R. comes under doubt and seems to be false. The doctor has found the nature of the injury grievous, whereas in the CT Scan report it is stated that no significant intra-cranial abnormality is seen, which is a vital contradiction between the two reports. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Having regard to the facts and circumstances of the case as well as there is conflict between the two reports, 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 Singheswar P.S. Case No.278 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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