

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19025 of 2023

Arising Out of PS. Case No.-217 Year-2021 Thana- GOGRI District- Khagaria

1. Munna Kumar S/O- Kapildeo Mahto Village- Chandpur Ps- Gogri Dist- Khagaria
2. Guddu Kumar @ Guddu Kumar Mahto Son Of Narayan Mahto Village- Chandpur Ps- Gogri Dist- Khagaria
3. Munna Kumar @ Munna Mahto Son Of Bindeshwari Mahto Village- Chandpur Ps- Gogri Dist- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar, Advocate
For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 15-06-2023 Heard Mr. Mrityunjay Kumar, learned counsel appearing on behalf of the petitioners and Mr. Ajay Kumar Jha, learned APP appearing on behalf of the State.

2. The petitioners apprehend their arrest in connection with Gogri P.S. Case No. 217 of 2021 registered under Sections 341, 342, 323, 307, 326, 504, 506/34 of the Indian Penal Code.

3. The prosecution story, in brief, is that the informant was assaulted by the petitioners and 8 to 10 unknown persons.

4. Learned counsel appearing on behalf of the petitioners submits that specific allegation of assault is against co-accused namely, Niraj Kumar. The petitioner can only be considered to be a member of the mob. Learned counsel further



submits that F.I.R. is against six named persons and 8-10 unknown persons. Petitioners have clean antecedent and on these grounds petitioners seek to be released on bail.

5. Learned APP appearing on behalf of the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the facts and circumstances of the case and the fact that the allegation levelled against the petitioners is general and omnibus rather specific allegation of assault is against one co-accused Niraj Kumar, the petitioners, above named, are directed to be released on anticipatory bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each, to the satisfaction of learned Judicial Magistrate-I, Khagaria in connection with Gogri P.S. Case No. 217 of 2021, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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