

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20256 of 2023

Arising Out of PS. Case No.-30 Year-2023 Thana- GOVINDGANJ District- East Champaran

1. RAVI SHARAN UPADHYAY @ MANTU UPADHYAY Son of Late Shiva Kant Upadhyay R/o Village - Sareya, P.S.- Govindganj, District - East Champaran.
2. Hari Sharan Upadhyay @ Manu Upadhyay Son of Late Shiva Kant Upadhyay R/o Village - Sareya, P.S.- Govindganj, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 03-08-2023 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.
2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323 and 307/34 of the Indian Penal Code.
3. Learned counsel for the petitioners submits that petitioner no. 1 has antecedent of two cases and petitioner no. 2 has antecedent of one case.
4. The informant alleges that on 17.01.2023 at 04:00 p.m. accused Krishnawati Kunwar was assaulting his son and when sister of the informant came to save him, all the FIR named accused persons including the petitioners assaulted her with lathi, danda and iron rod on her head causing injury.



5. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case and from bare perusal of the allegation as alleged in the FIR, it would manifest that no specific allegation of committing any overt act is alleged against the petitioners and the allegation of assault is general and omnibus in nature.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

7. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Govindganj P.S. Case No. 30 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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