

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22433 of 2023

Arising Out of PS. Case No.-77 Year-2022 Thana- BACHHWARA District- Begusarai

1. SIKANDER MAHTO @ SIKANDER KUMAR SON OF LATE RAJENDRA MAHTO R/O VILLAGE- NAREPUR (WEST), P.S.- BACHHWARA, DISTRICT- BEGUSARAI
2. GAURAV KUMAR @ GARIBA SON OF LATE UMESH MAHTO R/O VILLAGE- NAREPUR (WEST), P.S.- BACHHWARA, DISTRICT- BEGUSARAI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Alka Singh, Adv.

For the Opposite Party/s : Mr.Tapeshwar Sharma, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 04-07-2023 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 147, 148, 149, 302, 379 of the Indian Penal Code. Later on, the learned Court below took cognizance for the offences under Section 147, 149, 302, 120(B) of the Indian Penal Code.

Allegedly, the petitioners along with other accused persons surrounded the son of the informant and started assaulting him by means of sticks and iron rod due to which he sustained injuries.



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. It is further submitted that after investigation, the police has filed the final form against the petitioners but differing the final form, the learned Court below took cognizance against them. Petitioner no.1 has no criminal antecedent, whereas petitioner no.2 has two criminal antecedents, 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, as the final form has been filed by the police against the petitioners, 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 Bachhwara P.S.



Case No. 77 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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