

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21989 of 2023

Arising Out of PS. Case No.-292 Year-2022 Thana- MOHAMMADPUR District- Gopalganj

1. SURENDRA PRASAD Son of Late Durga Prasad @ Late Durga Rawat R/V- Salehpur PS- Mohammadpur, Dist- Gopalganj
2. Gautam Prasad Son of late Durga Prasad @ Late Durga Rawat R/V- Salehpur PS- Mohammadpur, Dist- Gopalganj
3. Ashok Prasad Son of Late Durga Prasad @ Late Durga Rawat R/V- Salehpur PS- Mohammadpur, Dist- Gopalganj
4. Niraj Prasad Son of Surendra Prasad R/V- Salehpur PS- Mohammadpur, Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramadhar Shekhar, Adv.

For the Opposite Party/s : Mr.Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-07-2023 Heard the parties.

The petitioners apprehend their arrest in a case registered for the offence punishable u/s 341, 323, 324, 325, 307, 354, 427, 504, 506, 34 of the IPC.

As per the prosecution case, the F.I.R. named accused persons including the petitioners armed variously came to the house of the informant and started damaging his house. On objection, they indiscriminately assaulted the informant's side.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to ulterior



motive. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. Both parties are agnates and there is an admitted land dispute between the parties. It is submitted that for the alleged occurrence, there is case and counter-case between the parties and both sides have sustained grievous injury. Petitioners have one criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since both sides have sustained grievous injury, 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 court below where the case is pending/Successor Court in connection with Mohammadpur P.S. Case No.292 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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