

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25314 of 2023

Arising Out of PS. Case No.-762 Year-2022 Thana- MAJHAULIA District- West Champaran

1. Rajan Prasad Son Of Ghanashyam Prasad Resident Of Mohalla - Karamawa, Ward No. 08, P.S. - Majhauria, Distt. - West Champaran
2. Lalan Prasad Son Of Ghanashyam Prasad Resident Of Mohalla - Karamawa, Ward No. 08, P.S. - Majhauria, Distt. - West Champaran
3. Shivbalak Prasad Son Of Late Ramvrikash Prasad Salamat Miyan Resident Of Mohalla - Karamawa, Ward No. 08, P.S. - Majhauria, Distt. - West Champaran
4. Rajendra Prasad Son Of Late Jaygovind Prasad Resident Of Mohalla - Karamawa, Ward No. 09, Shtan Tola, P.S. - Majhauria, Distt. - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Gupta
For the Opposite Party/s : Mr. Pronoti Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-07-2023 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 and 34 of the Indian Penal Code.

As per the prosecution case, the petitioners along with other accused persons, armed with deadly weapons, came and abused the informant and on the order of petitioner no. 3, petitioner no. 2 and accused Raju caught hold of the informant and petitioner no. 1 assaulted the informant on his head by means of Garasa.

Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this



case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that the occurrence took place 11.10.2022 and F.I.R. was lodged on 17.10.2022, after delay of 7 days, which creates serious doubt on the prosecution case. He further submits that the injuries were found simple in nature. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposes prayer for anticipatory bail.

Having regard to the facts and circumstances of the case and the fact that there is delay in filing the FIR and the injuries are simple in nature, 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 Majhauria P.S. Case No.762 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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