

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30652 of 2023

Arising Out of PS. Case No.-436 Year-2022 Thana- NAWANAGAR District- Buxar

1. Anil Kumar Bharti @ Anil Ram Son Of Haribhagwan Ram Resident Of Village - Gobindpur, P.S.- Nawanagar (Basudeva O.P.), District - Buxar.
2. Rajkishore Ram @ Gunggai Ram Son Of Harhangi Ram Resident Of Village - Gobindpur, P.S.- Nawanagar (Basudeva O.P.), District - Buxar.
3. Dhanji Ram Son Of Late Hari Ram Resident Of Village - Gobindpur, P.S.- Nawanagar (Basudeva O.P.), District - Buxar.
4. Sunil Ram Son Of Late Hari Ram Resident Of Village - Gobindpur, P.S.- Nawanagar (Basudeva O.P.), District - Buxar.
5. Ashok Ram Son Of Late Baban Ram Resident Of Village - Gobindpur, P.S.- Nawanagar (Basudeva O.P.), District - Buxar.
6. Indal Ram Son Of Bali Ram Resident Of Village - Gobindpur, P.S.- Nawanagar (Basudeva O.P.), District - Buxar.
7. Ramdayal Ram Son Of Late Dular Ram Resident Of Village - Gobindpur, P.S.- Nawanagar (Basudeva O.P.), District - Buxar.
8. Pawan Kumar @ Bajrangi Ram Son Of Shivdayal Ram Resident Of Village - Gobindpur, P.S.- Nawanagar (Basudeva O.P.), District - Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr. Adv.
	:	Mr. Binod Kumar, Adv.
For the Opposite Party/s	:	Mr. Sunil Kumar Pandey, APP
	:	Mr. Amaresh Kumar Sinha, Adv.
	:	Mr. Surendra Kumar Mishra, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 17-08-2023 Heard learned senior counsel for the petitioners and learned APP for the State assisted by learned counsel for the informant.

2. The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 504, 379, 354(A) and 337 of the Indian



Penal Code and Section 27 of the Arms Act pending in the learned court below.

3. There is allegation against the petitioners is of assaulting the informant and his family members.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He further submits that there is general and omnibus allegation against the petitioners. He submits that there is admitted land dispute between the parties. He further submits that earlier the case was filed under Section 354A, 379 and other sections of the Indian Penal Code and Section 27 of the Arms Act but later on POCSO Act was also added by the order of the learned Court below. He further submits that petitioners have got no criminal antecedent except petitioner no.6 who has got one criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State along with learned counsel for the informant opposes the prayer for bail and submitted that victim had found two injuries. The statement of the victim was recorded under Section 164 Cr.P.C. in which she stated that Anil Kumar Bharti, Indal Ram, Sangeet Ram and other persons have abused and assaulted her.



6. Considering the aforesaid facts and circumstances and the fact that there is general and omnibus allegations levelled against the petitioners, let the petitioners, named above, in the event of their arrest/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.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Nawanagar (Basudeva O.P.) P.S. Case No.436 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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