

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32372 of 2023

Arising Out of PS. Case No.-113 Year-2023 Thana- KOILWAR District- Bhojpur

1. NITISH KUMAR Son of Jaydhwaj Singh Resident of village - Purana Hripur, P.S. - Koilawar, Distt. - Bhojpur
2. Jyotish Kumar Son of Jaydhwaj Singh Resident of village - Purana Hripur, P.S. - Koilawar, Distt. - Bhojpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Md. Ataul Haque, Adv.
For the Opposite Party/s	:	Mr.Binod Kumar, APP
For the Informant	:	Mr.Arvind Kumar Sinha, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 21-08-2023 Heard the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable u/s 341, 323, 504, 307 & 34 of the IPC and 27 of the Arms Act.

3. As per the prosecution case, on the instigation of petitioner no.2, petitioner no.1 fired upon the informant. Thereafter, petitioner no.2 also given iron rod blow on the head of Ram Babu.

4. 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. It is submitted that in compliance of the order dated 21.07.2023, final injury has come and from the injury report, it is clear that the injuries are simple in nature, as such, the injury report has not supported the prosecution case. Petitioners have no criminal antecedent.

5. Learned APP for the State as well as learned counsel for the informant opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, since 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 court below where the case is pending/Successor Court in connection with Koilawar P.S. Case No.113 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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