

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35150 of 2023

Arising Out of PS. Case No.-322 Year-2022 Thana- KARAHGAR District- Rohtas

1. ARUN KUMAR PATHAK Son of Gaya Narayan Pathak Resident of village - Baheri, P.S. - Kargahar, Distt. - Rohtas
2. Vijay Bahadur Pathak Son of Gaya Narayan Pathak Resident of village - Baheri, P.S. - Kargahar, Distt. - Rohtas
3. Raju Ranjan Pathak Son of Gaya Narayan Pathak Resident of village - Baheri, P.S. - Kargahar, Distt. - Rohtas

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ajay Kumar Thakur, Adv. Mrs.Vaishnavi Singh, Adv. Mr.Ritwik Thakur, Adv. Mr.Purushottam Kumar, Adv.
For the Opposite Party/s :		Mr.Aditya Narayan Singh.1, APP
For the Informant	:	Mr.Nagendra Upadhyaya, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 27-07-2023 Heard learned counsel for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable u/s 341, 323, 379, 307, 504, 506/34 of the IPC and section 27 of the Arms Act.

3. As per the prosecution case, allegation against the petitioner no.1 is that he assaulted the informant by means of gadasa on the head and petitioner nos.2 and 3 has also assaulted the informant.

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. For the alleged occurrence, there is a case and counter-case between the parties and both sides have sustained injuries, which are grievous in nature. It is further submitted that the grievous injury is on the right elbow of the informant but the allegation against the petitioner no.1 is to assault on his head. Allegation leveled against the petitioner nos.2 and 3 is not specific rather general and omnibus in nature. Petitioners have one criminal antecedent.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, since there is no specific overt act 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 court below where the case is pending/Successor Court in connection with Kargahar P.S. Case No.322 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

pallavi/-

U		T	
---	--	---	--

