

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38993 of 2023

Arising Out of PS. Case No.-428 Year-2022 Thana- BANIAPUR District- Saran

1. RAJU KHAN son of Bhola Khan Village- Harpur Karah (Dargahi Tola) Ps- Baniyapur Dist- Saran at Chapra
2. Awal Khan @ Abal Khan son of Bechu Khan Village- Harpur Karah (Dargahi Tola) Ps- Baniyapur Dist- Saran at Chapra
3. Meraj Khan son of Bhola Khan Village- Harpur Karah (Dargahi Tola) Ps- Baniyapur Dist- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jeetendra Narayan
For the Opposite Party/s : Mr. Akhileshwar Dayal

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-08-2023 Heard the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 147, 341, 307, 325, 379, 504, 506 of the Indian Penal Code.

3. Allegedly, the petitioners and other co-accused persons brutally assaulted the informant's side by means of several weapons. It is also alleged that the accused persons snatched money from one Nipu Kumar.

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. No such occurrence, in the manner as alleged, has ever taken place. The



allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is no specific overt act against the petitioners. He further submits that the injuries are of simple nature, which is apparent from Annexure-2 series of the bail application. Petitioner no.1 and 3 have one criminal antecedent and petitioner no.2 has no criminal antecedent.

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

6. Having regard to the facts and circumstances of the case as well as considering the nature of 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 Baniyapur P.S. Case No.428 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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