

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37399 of 2023

Arising Out of PS. Case No.-46 Year-2023 Thana- KHAIRA District- Jamui

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1. BISESWAR NAIYA SON OF LATE JAMUNA NAIYA RESIDENT OF VILLAGE - CHANDAR SELI TOLA, P.S. - KHAIRA, DISTRICT - JAMUI
 2. MUNNI NAIYA SON OF LATE JAMUNA NAIYA RESIDENT OF VILLAGE - CHANDAR SELI TOLA, P.S. - KHAIRA, DISTRICT - JAMUI

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR, PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar
For the Opposite Party/s : Mr. Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 11-09-2023 Heard the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 354A, 379 and other allied Sections of the Indian Penal Code.

3. Allegedly, the petitioners entered into the house of the informant and caught her with bad intention. Petitioner no.1 snatched the key of motorcycle of the husband of the informant and both the petitioners fled away from there along with the motorcycle.

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. There is an admitted land dispute between the parties. He further submits that in para- 5, 6, 7 and 8 of the case diary, none of the witnesses have supported the prosecution case. Petitioners have 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, 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 Khaira P.S. Case No.46 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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