

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43632 of 2023

Arising Out of PS. Case No.-117 Year-2022 Thana- GHOSI District- Jehanabad

1. KAMTA BIND son of Rameshwar Bind Village- Lodipur Ps- Ghoshi Dist- Jehanabad
2. Raushan Bind son of Kamta Bind Village- Lodipur Ps- Ghoshi Dist- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitender Kumar, Adv.

For the Opposite Party/s : Mr.Umeshanand Pandit, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 19-09-2023 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 448, 341, 323, 354, 308, 506 of the Indian Penal Code.

3. The prosecution case, in brief, is that on 10.03.2022 at about 08.00 A.M. when the informant was alone at her house, petitioner no.1 entered her house and started to misbehave with her. He also tried to outrage the modesty of the informant. After sometime, other accused persons also came there and petitioner no.2 assaulted the informant's daughter by means of pistol on her head due to which she became unconscious. Co-accused



Naulesh Bind assaulted the informant's son brutally with iron rod and when the informant tried to save him, petitioner no.1 assaulted the informant with butt of the pistol.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. Both the parties are neighbours. No such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is dispute regarding a drain between the parties. The injuries sustained by the injured are simple in nature. Petitioners have one criminal antecedent as mentioned in para-3 of this application.

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

6. Having regard to the facts and circumstances of the case and considering nature of the injuries sustained by the injured i.e. simple, 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 lower Court where the case is



pending/successor Court in connection with Ghoshi P.S. Case
No. 117 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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