

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41934 of 2023

Arising Out of PS. Case No.-196 Year-2023 Thana- KAUWAKOL District- Nawada

1. MANOJ SAW S/o- LATE LAUNGI SAW Village- Rani Bazar Ps- Kawakole Dist- Nawada
2. PRAMOD SAW son of Late Laungi Saw Village- Rani Bazar Ps- Kawakole Dist- Nawada
3. DULARCHANDRA SAW S/o- LATE LAUNGI SAW Village- Rani Bazar Ps- Kawakole Dist- Nawada
4. SANDIP SAW @ SANJAY KUMAR @ SANDIP son of Dullarchand Saw Village- Rani Bazar Ps- Kawakole Dist- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shankar Kumar, Adv.
For the Opposite Party/s : Mr.Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-08-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable u/s 323, 341, 354, 307, 379, 504, 506 and 34 of the IPC.

3. As per the prosecution case, the F.I.R. named accused persons including the petitioners came armed with lathi-danda and indiscriminately assaulted the informant's side. Petitioner no.3 and 4 assaulted him with iron rod, petitioner no.1 and 2 pulled saree of the wife of 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. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. It is further submitted that there is an inordinate delay of 16 days in lodging the F.I.R., which has been lodged 31.03.2023 whereas the alleged occurrence is said to have taken place on 15.03.2023 and no plausible explanation regarding the delay has been given, which itself creates doubt about the prosecution case. The injuries were found simple in nature. Petitioners have no criminal antecedent.

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

6. Having regard to the facts and circumstances of the case, considering the delay in lodging the F.I.R. and that 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
Kawakole P.S. Case No.196 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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