

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44258 of 2023

Arising Out of PS. Case No.-149 Year-2022 Thana- RIVILGANJ District- Saran

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1. RAKESH SAH @ RAKESH KUMAR PRASAD S/o- HARENDRA SAH
Village- Tek Niwas Ps- Rivilganj Dist- Saran
 2. Sonu Kumar Singh @ Vishal Kumar son of Devendra Kumar Singh Village-
Tek Niwas Ps- Rivilganj Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar Sinha, Adv.

For the Opposite Party/s : Mr.Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-08-2023 Heard the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable u/s 341, 323, 324, 354, 379, 307, 34 of the IPC.

3. As per the prosecution case, allegation against the petitioner no.1 is that he gave farsa blow on the head of the informant and allegation against the petitioner no.2 is that he gave farsa blow on the head of one Rahul.

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. Though there is allegation against the petitioner no.1 to assault the informant and petitioner no.2 to assault Rahul on their head but their head injuries have been found simple in nature. There is an admitted land dispute between the parties, for which Civil Suit No.129/2020 and Partition Suit No.228/2016 are going on between the parties. Petitioner no.1 has two criminal antecedent and petitioner no.2 has 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 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 Rivilganj P.S. Case No.149 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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