

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47412 of 2023

Arising Out of PS. Case No.-67 Year-2023 Thana- HAJIPUR SADAR District- Vaishali

1. SHYAM NANDAN RAI SON OF JALIM RAI RESIDENT OF VILLAGE-
DHOBGHATTI, PS- SADAR, DIST- VAISHALI
2. PAWAN KUMAR SON OF SHYAM NANDAN RAI RESIDENT OF
VILLAGE- DHOBGHATTI, PS- SADAR, DIST- VAISHALI
3. ABHISHEK KUMAR SON OF SHYAM NANDAN RAI RESIDENT OF
VILLAGE- DHOBGHATTI, PS- SADAR, DIST- VAISHALI

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Choubey Jawahar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 20-09-2023 Heard the parties.

2. Learned counsel for the petitioners seeks permission to withdraw this application as against the petitioner no.2, as he has been arrested by the police during the pendency of the bail application.

3. Permission is granted.

4. Accordingly, this application as against the petitioner no.2 is dismissed as withdrawn.

5. Now, this application is being heard with regard to the petitioner nos.1 and 3 only.

6. The petitioners apprehends their arrest in a case



registered for the offence punishable under Sections 354B, 379, 307 and other allied Sections of the Indian Penal Code.

7. Allegedly, the petitioners and other co-accused persons brutally assaulted the informant and his family members due to which they sustained injuries.

8. 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 submits that there is a case and counter-case between the parties. He further submits that the injuries are simple in nature. Petitioner nos.1 and 3 have two criminal antecedent.

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

10. Having regard to the facts and circumstances of the case as well as considering the nature of injury, let the above named petitioner nos.1 and 3, 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 Hajipur Sadar P.S. Case No.67 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

shikha/-

U		T	
---	--	---	--

