

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50222 of 2023

Arising Out of PS. Case No.-1074 Year-2021 Thana- KHAJANCHI HAT District- Purnia

1. Nikesh Kumar Singh @ Barku Singh @ Barku S/O Late Shambhu Singh R/O Shankar Chowk Tatma Toli, P.S- K. Hat, Distt.- Purnia.
2. Bikash Kumar Singh @ Chhotu S/O Late Shambhu Singh R/O Shankar Chowk Tatma Toli, P.S- K. Hat, Distt.- Purnia.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shiva Shankar Sharma
For the Opposite Party/s	:	Mr. Arun Kumar Pandey
	:	Mr. Dr. Bidhu Ranjan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 12-09-2023 Heard learned counsel for the petitioners and learned
APP for the State assisted by learned counsel for the informant.

2. The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 447, 341, 323, 307, 379 and 506/34 of the Indian Penal Code pending in the learned court below.

3. As per the prosecution case, petitioners along with other co-accused persons are said to have assaulted the informant and his family members.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He further submits that there is case and counter case between the parties. He submits that there is no specific overt act against the petitioners to assaulted the informant and his son. He further submits that the injuries found upon the victims are simple



in nature. He submits that the police has filed charged under Section 308 along with other ancillary bailable section of the Indian Penal Code but the learned Court below took cognizance under Section 307 & 379 along with other bailable section of Indian Penal Code. He further submits that petitioner no.1 has got two criminal antecedents and petitioner no.2 has got one criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State along with learned counsel for the informant opposes the prayer for bail.

6. Considering the aforesaid facts and circumstances and the fact that the injuries found upon the victims are simple in nature, let the petitioners, named above, in the event of their arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with K. Hat (Sahayak) P.S. Case No.1074/2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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