

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48344 of 2023

Arising Out of PS. Case No.-411 Year-2022 Thana- ATRI District- Gaya

1. MUKESH RAM @ MUKESH KUMAR SON OF DINESH RAM @ DINESH SINGH RESIDENT OF VILLAGE- KISHUNPURA, PS- ATRI, DIST- GAYA
2. SANTOSH DAS @ SANTOSH KUMAR @ SANTOSH RAM SON OF DINESH RAM @ DINESH SINGH RESIDENT OF VILLAGE- KISHUNPURA, PS- ATRI, DIST- GAYA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh, Adv.

For the Opposite Party/s : Mr.Shailendra Kumar Singh, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-08-2023 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 341, 323, 307, 325, 504 and 506/34 of the Indian Penal Code.

3. As per FIR, the allegation against the petitioners to assault the informant by means of lathi-danda due to which informant sustained injury on her right hand and when her husband and her son came to save her, they were also assaulted by all the accused persons with lathi-danda as a result of which



her husband got grievous head injury and became unconscious.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. 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 case and counter case between the parties. The injury sustained by the informant is simple in nature. Though, the informant's husband has sustained grievous injury, but that injury does not attribute to these petitioners. Petitioner no.1 has four criminal antecedents, whereas petitioner no.2 has two criminal antecedents as mentioned in para-3 of this application.

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

6. Having regard to the facts and circumstances of the case, as there is no specific overt act against the petitioners, 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 lower Court where the case is pending/successor Court in



connection with Atri P.S. Case No. 411 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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