

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48188 of 2023

Arising Out of PS. Case No.-107 Year-2021 Thana- PAHARPUR District- East Champaran

1. PAPPU KUMAR @ PAPPU PRASAD SON OF SHYAMDEV PRASAD
RESIDENT OF VILLAGE- AURAHA, PS- PAHARPUR, DISTT- EAST
CHAMPARAN
2. RAJESH PRASAD @ RAJESHWAR KUMAR SON OF MADAN
PRASAD RESIDENT OF VILLAGE- AURAHA, PS- PAHARPUR,
DISTT- EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anant Kumar Mishra, Adv.
For the Opposite Party/s : Mr.Sunil Kumar Pandey, 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,
324, 307, 325, 504, 34 of the Indian Penal Code.

3. Allegation against all the accused persons that they
abused and assaulted the informant side brutally. Petitioner no.1
gave *farsa* blow on the back side of the head of the informant's
father, whereas petitioner no.2 and co-accused Akhilesh Prasad
assaulted the informant's brother with *farsa* due to which he
sustained injuries on his head. They also committed loot.

4. It is submitted by learned counsel for the petitioners



that petitioners are quite innocent and have committed no offence. Both the parties are agnates. 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 admitted dispute regarding ancestral property between the parties. There is case and counter case between the parties. The injuries sustained by the informant's brother is found simple in nature. Though the injury nos. 2 & 3 of the informant's father are found grievous in nature, but it do not attribute to petitioner no.1. Petitioners have no criminal antecedent 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 Paharpur P.S. Case No. 107 of 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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