

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51612 of 2023

Arising Out of PS. Case No.-97 Year-2023 Thana- KHAIRA District- Jamui

1. TUNTUN DAS @ TUNTUN RAVIDAS SON OF BASUDEO DAS
RESIDENT OF VILLAGE- DANSINGHDIH, PS- KHAIRA, DIST-
JAMUI
2. MADAN KUMAR DAS SON OF TUNTUN DAS @ BIKARAM KUMAR
RESIDENT OF VILLAGE- DANSINGHDIH, PS- KHAIRA, DIST-
JAMUI
3. BIKARAM KUMAR DAS @ BIKARAM KUMAR SON OF TUNTUN
DAS RESIDENT OF VILLAGE- DANSINGHDIH, PS- KHAIRA, DIST-
JAMUI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Arjun Pd. Keshri, Adv.
For the Opposite Party/s :	Mr.Jagdhar Prasad, APP.
	Mr. Rajesh Kumar Sinha, Adv.
	Ms. Anisha Sinha, Adv.
	Ms. Gopi Jha, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 12-09-2023 Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 307, 504, 354(A) and 34 of the Indian Penal Code.

3. Allegedly, when the informant was doing measurement work of Government Scheme, all the accused persons came to her and started abusing by using her caste name and torn her cloth. They also assaulted her and her in-laws. Co-accused Pawan Kumar Das fired with pistol in air and gave threat to kill



the informant.

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 election rivalry between the parties. It is further submitted that the injury report does not support the prosecution case, as the injury report was prepared on 06.03.2023 before the alleged occurrence which took place on 07.03.2023, whereas the FIR was lodged on 09.03.2023. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State as well as learned counsel for the informant oppose the prayer for bail.

6. Having regard to the facts and circumstances of the case, as the injury report has been prepared prior to the alleged occurrence, 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 Khaira P.S. Case No. 97 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

7. The learned Court below is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in Para 3 of the bail application, this order will automatically loose its force.

8. Till the verification has been completed, no coercive steps shall be taken against the petitioner.

(Anjani Kumar Sharan, J)

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