

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49631 of 2023

Arising Out of PS. Case No.-125 Year-2022 Thana- JALE District- Darbhanga

1. BINDESHWAR RAM Son of Late Kailu Ram Resident of village - Basant, P.O. - Kharka, P.S. - Jale, Distt. - Darbhanga
2. Amol Ram Son of Bineshwar Ram Resident of village - Basant, P.O. - Kharka, P.S. - Jale, Distt. - Darbhanga
3. Vikram Kumar @ Vikram Ram Son of Bineshwar Ram Resident of village - Basant, P.O. - Kharka, P.S. - Jale, Distt. - Darbhanga
4. Jitan Ram @ Jeetan Ram Son of Bineshwar Ram Resident of village - Basant, P.O. - Kharka, P.S. - Jale, Distt. - Darbhanga
5. Heera Ram Son of Bineshwar Ram Resident of village - Basant, P.O. - Kharka, P.S. - Jale, Distt. - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saurav Anand
For the Opposite Party/s : Mr. Sunil Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 25-08-2023 Heard the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 308, 354, 379 and other allied Sections of the Indian Penal Code.

3. The allegation against the petitioners is that the petitioners assaulted the informant's side by means of several weapons due to which they sustained injuries. It is also alleged that several ornaments were also snatched from the informant's side.



4. 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. There is a case and counter-case between the parties and both sides have sustained injuries. Petitioners have no criminal antecedent.

5. Learned APP for the State opposed the prayer for anticipatory bail and submits that there is specific allegation against the petitioner no.4 namely, Jitan Ram to assault the injured Anita Devi due to which she sustained grievous injuries.

6. Having regard to the facts and circumstances of the case, I am not inclined to enlarge the petitioner no.4 on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

7. However, as the injuries attributed towards the petitioner nos.1, 2, 3 and 5 are simple in nature, let the above named petitioner nos.1, 2, 3 and 5, 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 Jale P.S. Case No.125 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

8. Accordingly, this application is partly allowed.

(Anjani Kumar Sharan, J)

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