

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51872 of 2023

Arising Out of PS. Case No.-192 Year-2022 Thana- PHULWARIA District- Begusarai

1. SHAMBHU RAM SON OF VASHUNDEV RAM VILLAGE PHULWARIYA, WARD NO. 1, P.S. PHULWARIYA, DIST. BEGUSARAI
2. AAKASH KUMAR SON OF SHAMBHU RAM VILLAGE PHULWARIYA, WARD NO. 1, P.S. PHULWARIYA, DIST. BEGUSARAI
3. RAJEEV SAH SON OF AANANDI SAH VILLAGE PHULWARIYA, WARD NO. 1, P.S. PHULWARIYA, DIST. BEGUSARAI
4. RAJESH RAM SON OF LATE JADU RAM VILLAGE PHULWARIYA, WARD NO. 1, P.S. PHULWARIYA, DIST. BEGUSARAI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kumar Sinha, Adv.
For the Opposite Party/s : Mr.Uday Pratap Singh, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 02-11-2023 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, 356, 379, 504, 34 of the Indian Penal Code.

3. Allegedly, all the accused persons including the petitioners abused and brutally assaulted the informant's side by means of deadly weapons due to which they sustained injuries.

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. Though, there is allegation against petitioner no.4 to assault the informant's wife by means of iron rod, but as per the injury report, injury was found simple in nature which is clear from the injury report enclosed in the case diary. Similarly situated co-accused persons have been enlarged on bail by this court vide order dated 12.09.2023 passed in Cr. Misc. No. 49866 of 2023. Petitioner nos. 1 & 2 have two criminal antecedents, whereas petitioner nos. 3 & 4 have one 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 similarly situated co-accused have been granted anticipatory bail, 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 Phulwariya P.S. Case No. 192 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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