

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49296 of 2022

Arising Out of PS. Case No.-203 Year-2021 Thana- NIMCHAKBATHANI District- Gaya

1. SUNIL KUMAR @ SUNIL PRASAD S/O BHOLA YADAV @ BHOLA PRASAD @ SHAILENDRA PRASAD @ SHAILENDRA KUMAR Resident of village- Morabbi Chak, P.S.- Neemchak Bathani, District- Gaya.
2. BUDHU YADAV @ AKHILESH KUMAR S/O BHOLA YADAV @ BHOLA PRASAD @ SHAILENDRA PRASAD @ SHAILENDRA KUMAR Resident of village- Morabbi Chak, P.S.- Neemchak Bathani, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar
Party/s

... .. Opposite

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh, Advocate
For the Opposite Party/s : Mr.Shantanu Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 09-01-2023 Heard learned counsel for the petitioner and the State.

The petitioners apprehend their arrest in connection with Nimchak Bathani P.S. Case No. 203 of 2021 instituted under Sections 147, 148, 448, 341, 323, 504, 506, 379 of the Indian Penal Code.

As per the prosecution story, the named accused stormed the house of the informant and after abusing them snatched his wrist watch and also slapped him and threatened to evict the house otherwise they will face dire consequences.

Learned counsel for the petitioners submit a bare perusal of the FIR would show that there is no assault or injury



on the part of the informant and merely to exaggerate the case, snatching of wrist watch and others have been incorporated in the FIR.

Learned APP on the other hand opposes the prayer for bail.

Taking into account the fact that there is nothing on record to show that there has been any assault/injury on the part of the informant and/or alleged by the informant's side against the petitioners and further they will be cooperate in course of investigation and ultimately has to face the trial, this Court is inclined to grant them relief.

Let the petitioners be released on bail, in the event of their arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each in connection with Nimchak Bathani P.S. Case No. 203 of 2021 to the satisfaction of learned J.M. 1st Class, Gaya subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

Ravi/Ajay
Singh/-

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