

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55784 of 2023

Arising Out of PS. Case No.-425 Year-2022 Thana- BOCHAHAN District- Muzaffarpur

1. Sajjan Rai Son Of Ram Sanjog Rai Resident Of Village - Boaridih Tole Kalyan, P.S - Gaighat, District Muzaffarpur
2. Laddu Kumar Son Of Sajjan Rai Resident Of Village - Boaridih Tole Kalyan, P.S - Gaighat, District Muzaffarpur
3. Gaurav Kumar Resident Of Village - Boaridih Tole Kalyan, P.S - Gaighat, District Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Upendra Kumar Chaubey, Adv
For the Opposite Party/s : Mr.Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 14-09-2023 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. Learned counsel for the petitioner seeks
permission to withdraw the bail application of petitioner nos. 2
and 3.

3. Permission is accorded.

4. Accordingly, this application is dismissed as
withdrawn as against petitioner nos. 2 and 3

5. Now this application survives only for petitioner
nos. 1.

6. The petitioner is apprehending his arrest in a case



registered for the offence punishable under Sections 147, 149, 323, 324, 307, 354(B), 325, 504, 506 of the Indian Penal Code.

7. Allegation against the petitioner no. 1 is that he assaulted the brother of the informant by iron rod on his shoulder causing injury to him.

8. Learned counsel for the petitioners submits that the petitioners are innocent and has been falsely implicated in this case. He submits that there is no specific overt act has been attributed against petitioner no. 1 and the court below rejected the bail application of petitioner no. 1 on the ground that he has one criminal antecedent. There is admitted land disputed between the parties.

9. Learned APP for the State opposes the prayer for bail.

10. Considering the facts and circumstances of the case, let the above named petitioner no. 1 in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) 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 Bochahan P.S. Case



No. 425 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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