

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62836 of 2023

Arising Out of PS. Case No.-24 Year-2023 Thana- KOTHI District- Gaya

1. PANKAJ VISHWAKARMA @ PANKAJ MISTRI son of Ramnandan Mistri Village- Bikopur Ps- Kothi Dist- Gaya
2. Sandeep Kumar son of Ramnandan Mistri Village- Bikopur Ps- Kothi Dist- Gaya

... .. Petitioners.

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Kunwar Narayan Jamuar, Advocate
For the Opposite Party/s :	Mr. Syed Ehteshamuddin, APP
For the Informant :	Md. Javed Jafar Khan, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 07-11-2023 Heard learned counsel for the petitioners and learned A.P.P. for the State assisted by learned counsel for the informant.

2. Learned counsel for the petitioners filed a supplementary affidavit in court for removing the defect as pointed out by the office.

3. Let it be kept on record.

4. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 307, 504 & 506 of the Indian Penal Code and Section 27 of the Arms Act.

5. The petitioners along with other co-accused armed with deadly weapon and country made pistol are said to



have attacked upon the informant and his son due to which they sustained injury. Petitioner no.1 resorted firing in air, whereas petitioner no.2 assaulted on the head of the informant by means of iron rod.

6. It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. It is further submitted that both the parties are agnates and on the eve of Holi, the children of both the parties have abused to each other and there was free fight also in which both the sides have sustained injuries. There is case and counter case between the parties. The injuries attributed by these petitioners are simple in nature. Petitioners have no criminal antecedent.

7. Learned APP assisted by learned counsel for the informant vehemently opposed the prayer for bail.

8. Having regard to the facts and circumstances of the case as well as the fact that the injuries attributed by these petitioners are simple in nature, 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 Court below where the case is pending/successor Court in connection with Kothi P.S. Case No.24 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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