

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55973 of 2023

Arising Out of PS. Case No.-356 Year-2023 Thana- PHULWARISHARIF District- Patna

1. Vikash Kumar Son Of Late Ranjan Paswan Resident Of Village- Bochachak,
Police Station -PHULWARISHARIF, Dist- Patna
2. Ravi Kumar Son Of Late Ranjan Paswan Resident Of Village- Bochachak,
Police Station -PHULWARISHARIF, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Anis Akhtar
For the Opposite Party/s : Mr. Ram Sumiran Rai

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 14-09-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323 and 308/34 of the Indian Penal Code pending in the learned court below.

3. As per the prosecution case, there is allegation against the petitioners is that they have assaulted on the head of the informant by means of *lathi* and *danda*.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He further submits that the injury found upon the victim is simple in nature. He submits that the learned court below failed



to appreciate the fact that from bare perusal of FIR and injury report no case under Section 308 is made out against present petitioners rather same is super addition only with a view to make the case graver and other sections are bailable except Section 308 of the Indian Penal Code. He further submits that petitioners have got no criminal antecedent as stated in para-3 of the bail application.

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

6. Considering the aforesaid facts and circumstances and the fact that the injury found upon the victim is simple in nature, let the petitioners, named above, in the event of their arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Phulwari Sharif P.S. Case No.356/2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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