

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57407 of 2023

Arising Out of PS. Case No.-219 Year-2023 Thana- BIKRAMGANJ District- Rohtas

1. DEVENDRA RAM SON OF GOVERDHAN PRASAD @ GOVERDHAN RAM RESIDENT OF VILLAGE MORWANA, PS BIKRAMGANJ, DIST-ROHTAS
2. MANOJ KUMAR SON OF GOVERDHAN PRASAD @ GOVERDHAN RAM RESIDENT OF VILLAGE MORWANA, PS BIKRAMGANJ, DIST-ROHTAS

... .. petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 57435 of 2023

Arising Out of PS. Case No.-219 Year-2023 Thana- BIKRAMGANJ District- Rohtas

DEV KUMAR RAM son of Late Latheri Ram Village- Marowna Ps-
Bikramganj Dist- Rohtas

... .. petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 57407 of 2023)

For the petitioners/s : Mr.Binod Kumar Sinha

For the Opposite Party/s : Mr.Md. Nazir Ansari

(In CRIMINAL MISCELLANEOUS No. 57435 of 2023)

For the petitioners/s : Mr.Binod Kumar Sinha

For the Opposite Party/s : Mr.Md. Nazir Ansari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 31-08-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have prayed for regular bail in a
case instituted for the offence under Sections 147, 148, 149,



341, 342, 323, 307, 354B, 427, 353, 337, 379, 504 of the Indian Penal Code, Section 30 (a) of the Bihar Excise Act and Section 3 of the Prevention of Damage to Public Property Act.

3. The allegation against the petitioners along with others is of creating hindrance in discharging the official duty. It is further alleged that, on the instance of accused persons, the co-villagers assaulted the police party and damaged the Scorpio Car. It is further alleged that on search there has been recovery of 5 liters of illegal country-made liquor from the petitioner no. 1 (in Cr. Misc. No. 57407 of 2023).

4. It is submitted by learned counsel for the petitioners that petitioners have been falsely implicated in this case. They have committed no offence. There is no specific allegation against these petitioners. He submitted that the petitioner has no role and has no concerned with the alleged occurrence. From the perusal of the FIR, the injury report is not available on the police record to show, who assaulted the informant, therefore no case u/s 379 attracted against the petitioners and no incriminating articles have been recovered from the conscious possession of these petitioners. Petitioners have got no criminal antecedents as stated in para-3 of the bail petition. They are languishing in judicial custody since 29.04.2023.



5. The application for bail is opposed by learned APP
for the State.

6. Having heard learned counsel for the parties and
considering the facts and circumstances of the case as well as
period of custody, this court is inclined to enlarge the petitioners
on bail. The above named petitioners are directed to be enlarged
on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand
only) each with two sureties of the like amount each to the
satisfaction of the learned Court below in connection with
Bikramganj P.S. Case No. 219 of 2023.

(Sunil Kumar Panwar, J)

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