

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56218 of 2022

Arising Out of PS. Case No.-293 Year-2022 Thana- OBRA District- Aurangabad

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1. MANOJ PASWAN @ MANOJ KUMAR Son of Krishna Paswan R/V- Chapri, P.S- Obra, Dist- Aurangabad
 2. Uday Paswan @ Uday Kumar Son of Mathura Paswan @ Loha Paswan R/V- Chapri, P.S- Obra, Dist- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh

For the Opposite Party/s : Mr. Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 02-01-2023 Heard the parties.

The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 341, 323, 307, 324, 34 of the Indian Penal Code and section 27 of Arms Act.

The allegation against the petitioners is that they alongwith other co-accused persons assaulted the informant's side by means of several weapons.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather



general and omnibus in nature. There is no specific overt act against the petitioners. He further submits that the allegation of assault to Neha Kumari by sword and the allegation of firing on the informant's father is levelled against the co-accused Vishal Kumar. Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail but fairly submits that there is no specific allegation against the petitioners.

Having regard to the facts and circumstances of the case, as there is no specific overt act against the petitioners, 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 Obra P.S. Case No.293 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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