

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57359 of 2022

Arising Out of PS. Case No.-42 Year-2020 Thana- NOKHA District- Rohtas

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1. Rajesh Kumar Son Of Arvind Kumar Singh Resident Of Village - Lebra Paschim Tola, P.O. Jhalkhoriya, P.S.- Nokha, District - Rohtas.
 2. Surendra Kumar Singh Son Of Late Ramsakal Singh Resident Of Village - Lebra Paschim Tola, P.O. Jhalkhoriya, P.S.- Nokha, District - Rohtas.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Singh No.10

For the Opposite Party/s : Mr. H.A. Khan, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

6 01-05-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 147, 149, 341, 323, 325, 307, 504 and 506 of the Indian Penal Code pending in the learned court below.

As per the prosecution case, all the accused persons armed with lathi-danda and iron rod forming an unlawful assembly started assaulting the informant's nephew. On hearing alarm, when the informant came to rescue, accused Kundan, Baijnath and Ravi Ranjan causing fractured finger of left hand of informant nephew with lathi-danda also causing fractured head injury and blood was oozing out from his injury.



Petitioners are said to have gave iron rod blow on the head of the informant.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He further submits that one of the victim was got grievous injuries and rest of the victims received simple injuries. He submits that there is delay of eight days in filing of the present FIR and there is no any explanation of it which creates serious doubt about the prosecution case. He further submits that there is case and counter case between the parties. He submits that similarly situated other co-accused person has already been granted bail by a bench of this Court vide order dated 04.03.2022 passed in Cr. Misc. No. 16236/2021. He further submits that petitioners have got no criminal antecedent as stated in para-3 of the bail application.

Learned APP for the State opposes for prayer for bail.

Considering the aforesaid facts and circumstances, 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 Nokha P.S. Case No.42/2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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