

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63726 of 2022

Arising Out of PS. Case No.-272 Year-2020 Thana- SANGRAMPUR District- East
Champaran

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1. GULABI DEVI @ GYATRI DEVI WIFE OF MATHURA BHAGAT R/O VILLAGE- SANGRAMPUR, MATHIYA, P.O. AND P.S.- SANGRAMPUR, DISTRICT- EAST CHAMPARAN
 2. CHHOTAN BHAGAT @ CHHOTAN KUMAR SON OF MATHURA BHAGAT R/O VILLAGE- SANGRAMPUR, MATHIYA, P.O. AND P.S.- SANGRAMPUR, DISTRICT- EAST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pravin Kumar, Adv.
For the Opposite Party/s : Mr.Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-02-2023 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners apprehend their arrest in a case registered for the offence punishable u/s 341, 323, 325, 308, 379, 504/34 of the IPC.

As per the prosecution case, the F.I.R. named accused persons including the petitioners assaulted the father of informant.

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 due to village



politics. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. The specific allegation is against one Bullet Bhagat and Chhotan Bhagat, who assaulted the father of the informant and injury was found to be grievous in nature. For the alleged occurrence, there is case and counter-case between the parties and both sides have sustained injuries. Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for bail by submitting that there is specific allegation against the petitioner no.2 to assault the father of informant.

Since there is specific allegation against petitioner no.2 named above, I am not inclined to enlarge him on anticipatory bail. The prayer for grant of bail on his behalf is rejected.

Having regard to the facts and circumstances of the case, since there is no specific overt act against petitioner no.1, let the above named petitioner no.1, be released on bail, in the event of his 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) 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 Sangrampur P.S. Case No.272 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

This application is partly allowed.

(Anjani Kumar Sharan, J)

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