

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59367 of 2022

Arising Out of PS. Case No.-304 Year-2021 Thana- KHIJARSARAI District- Gaya

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DURGA PASWAN @ DURGA SHANKAR @ SHIV SHANKAR BHARTI
Son of Suresh Paswan Resident of Village - Chirali, P.S.- Khizersarai, District
- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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with
CRIMINAL MISCELLANEOUS No. 61093 of 2022

Arising Out of PS. Case No.-304 Year-2021 Thana- KHIJARSARAI District- Gaya

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DEEPAK CHOUDHARY S/O Munna choudhary R/O Village- Chairailly, P.S-
Khizersarai, District- Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 59367 of 2022)

For the Petitioner/s : Mr.Gajendra Kumar Singh

For the Opposite Party/s : Mr.Narendra Kumar Singh

(In CRIMINAL MISCELLANEOUS No. 61093 of 2022)

For the Petitioner/s : Mr.Sanjay Kr. Sinha

For the Opposite Party/s : Mr.Ajay Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-01-2023 Heard learned counsel for the petitioners and learned

Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case

registered for the offence punishable under Sections 147, 341,

308, 323, 504 and 506 of the Indian Penal Code.

Learned counsel for the petitioners submits that the

petitioners are innocent and have been falsely implicated in this

case. He submits that there is no specific overt act against the



petitioners. He further submits that there is specific overt act against the co-accused Shakti Paswan who fired upon the informant. He submits that similarly situated co-accused has already been granted bail by this Court vide order dated 02.01.2023 passed in Cr. Misc. No. 56831/2022. He further submits that petitioner in Cr. Misc. No.59367/2022 have no criminal antecedent and petitioner in Cr. Misc. No.61093/2022 have got one criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case, let the above named petitioners in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bonds 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 Khizersarai P.S. Case No. 304/2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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