

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61097 of 2023

Arising Out of PS. Case No.-146 Year-2023 Thana- RAJEPUR District- East Champaran

1. PAPPU KUMAR R/o vill - Bulaki Tola, P.S. - Rajepur, Distt. - East Champaran, Motihari
2. Awanish Kumar Son of Daroga Rai R/o vill - Bulaki Tola, P.S. - Rajepur, Distt. - East Champaran, Motihari
3. Marni Devi @ Bharani Devi Wife of Late Sakaldev Rai R/o vill - Bulaki Tola, P.S. - Rajepur, Distt. - East Champaran, Motihari
4. Indira Gandhi Devi Wife of Daroga Rai R/o vill - Bulaki Tola, P.S. - Rajepur, Distt. - East Champaran, Motihari

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar, Adv.

For the Opposite Party/s : Mr.Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 16-10-2023 Heard learned counsel for the petitioners and learned APP
for the State.

2. At the very outset, learned counsel for the petitioners seeks permission to withdraw the prayer for anticipatory bail of the petitioner no.1, who has been apprehended by the police during pendency of this application.

3. Permission is granted.

4. Accordingly, the prayer for anticipatory bail made through the instant application, on behalf of the petitioner no.1 is dismissed as withdrawn.



5. Now, the present application is being heard for consideration of bail of petitioner nos.2 to 4.

6. The petitioner nos.2 to 4 apprehend their arrest in a case registered for the offence punishable u/s 447, 341, 323, 307, 325, 354(B), 379, 504, 506/34 of the IPC.

7. As per the prosecution case, the petitioners along with other accused persons came at the door of the informant and started abusing and when the informant raised objection, then the accused persons assaulted the informant and Pappu Kumar assaulted the informant with iron-fighter on her head.

8. 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 ulterior motive. 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. There is case and counter-case between the parties and both sides have sustained injuries, which have been found simple in nature. Petitioners have no criminal antecedent.

9. Learned APP for the State opposed the prayer for bail.

10. Having regard to the facts and circumstances of the case, since both sides have sustained simple injury, let the above



named petitioner nos.2 to 4, 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 Rajepur P.S. Case No.146 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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