

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65755 of 2023

Arising Out of PS. Case No.-21 Year-2023 Thana- MEHANDIA District- Jehanabad

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1. BIRENDRA DAS @ BIRENDRA RAM S/O BILASH DAS R/O VILLAGE- BELSAR, NARAK BIGHA, P.S- MEHANDIYA, DISTT.- ARWAL.
 2. SURENDRA DAS @ SURENDRA RAM S/O GANAURI DAS R/O VILLAGE- BELSAR, NARAK BIGHA, P.S- MEHANDIYA, DISTT.- ARWAL.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivendra Prasad
For the Opposite Party/s : Mr. Md. Shakir Ahmad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 01-11-2023 Heard the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 147, 149, 341, 323, 307, 504, 506, 302 of the Indian Penal Code.

3. Allegedly, the petitioners and other co-accused persons assaulted the informant's side by means of several weapons due to which they got injured.

4. 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 a case and counter-case between the parties and both sides have sustained injuries. He further submits that the petitioner no.1 is only a member of mob and there is no specific overt act against him. He further submits that though there is an allegation against the petitioner no.2 to assault the informant but the injury has been found to be of simple nature. Petitioners have no criminal antecedent.

5. Learned APP for the State opposed the prayer for anticipatory bail.

6. 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 Mehendiya P.S. Case No.21 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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