

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65979 of 2022

Arising Out of PS. Case No.-67 Year-2022 Thana- MAIN P.S. District- Gaya

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1. RAM ASHRAY PRASAD SON OF BHIKHARI SINGH R/O VILLAGE- KHOJPURA, P.S.- MAKHDUMPUR, DISTRICT- JEHANABAD
 2. GANESH MAHTO @ GANESH PRASAD MAHTO @ ANUJ KUMAR SON OF MAHESH PRASAD R/O VILLAGE- KHOJPURA, P.S.- MAKHDUMPUR, DISTRICT- JEHANABAD

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Saxena

For the Opposite Party/s : Mr. Parmanand Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-01-2023 Heard the parties.

The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 147, 148, 149, 353, 341, 323, 324, 427, 307, 504, 506 of the Indian Penal Code and 25(1-b)a, 26, 27, 35 of Arms Act.

The allegation against the petitioners is that they have formed an unlawful assembly and in prosecution of the common object of the same they did firing on the police party.

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 no specific overt act against the petitioners. He further submits that there is no injury on record in the present case. Nothing incriminating has been recovered from the possession of the petitioners. Petitioner no.1 has no criminal antecedent and petitioner no.2 has two criminal antecedent.

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

Having regard to the facts and circumstances of the case, as there is general and omnibus allegation against the petitioner, 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 Main P.S. Case No.67 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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