

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63204 of 2023

Arising Out of PS. Case No.-373 Year-2023 Thana- GAURICHAK District- Patna

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1. SHREEKANT DAS S/o Gariban Das VILLAGE BAKANCHAK
ALAWALPUR PS GAURICHAK DISTRICT PATNA
 2. Pawan Das Son of Shreekant Das VILLAGE BAKANCHAK
ALAWALPUR PS GAURICHAK DISTRICT PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Ranjeet Kumar, Adv.
For the Opposite Party/s :	Mr.Satyendra Prasad, APP.
	Mr. Anuj Kumar, Adv.
	Mr. Kaushal Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-10-2023 Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 447, 448, 302, 504, 506, 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. Allegedly, all the FIR named accused persons including these petitioners, armed with deadly weapons, came at the house of the informant and started abusing and also assaulted her and when her son came to save her, all the accused persons pulled him out of the house. Thereafter, co-accused Vikash Das and Krishana Das fired upon him due to



which he died on spot.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. No such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is specific allegation against co-accused Vikash Das and Krishana Das to fire upon the informant's son due to which her son died on spot. Petitioners are only members of the mob. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State as well as learned counsel for the informant opposed the prayer for bail and submitted that petitioners have suppressed their criminal antecedent.

6. Having regard to the facts and circumstances of the case, 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 lower Court where the case is pending/successor Court in connection with Gaurichak P.S. Case No. 373 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

7. The learned Court below is directed to verify the criminal antecedent of the petitioners and if it is found that the petitioners are involved in some other cases as what has been stated in Para 3 of the bail application, the bail bonds of the petitioners shall not be accepted by the learned Court below.

(Anjani Kumar Sharan, J)

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