

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67335 of 2023

Arising Out of PS. Case No.-74 Year-2023 Thana- BAKHTIYARPUR RAIL P.S. District-
Patna

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1. ROHIT KUMAR @ ROHIT THAKUR S/O SHANKAR THAKUR R/O VILLAGE- BUDHANI CHAK, P.S- BARH, DISTT.- PATNA.
 2. SADAN KUMAR @ SADAN YADAV S/O BHASO YADAV R/O VILLAGE- BUDHANI CHAK, P.S- BARH, DISTT.- PATNA.

.. ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Anjana, Adv.

For the Opposite Party/s : Mr.Raj Ballabh Singh, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-11-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 336, 504, 353, 34 of the Indian Penal Code and Section 27 of Arms Act.

3. The allegation against the petitioners is that they along with 10-12 persons assaulted the informant and pelted stones upon him and created hindrance in discharging his duty. One of the accused persons opened fire on air by a country made pistol.

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. He has been made accused in the present case merely on suspicion. It is further submitted that one other case has also been filed for the same occurrence. He further submitted that in Railway Suraksha Bal Post, Bakhtiyarpur Case No. 514 of 2023, the petitioners have confessed their guilt and paid Rs. 3,000/- (Rs. 1500/- each) as fine through Memo No. 64038 and 64040, respectively. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

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

6. Having regard to the facts and circumstances of the case, as two cases have been filed for one occurrence, 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 Bakhtiyarpur Rail P.S. Case No. 74 of 2023,



subject to the condition as laid down under Section 438 (2) of
the Cr.P.C.

(Anjani Kumar Sharan, J)

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