

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63792 of 2022

Arising Out of PS. Case No.-237 Year-2022 Thana- BARARI District- Katihar

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1. Santosh Kumar @ Santosh Yadav Son Of Arun Kumar Yadav @ Arbind Yadav R/V- Kuriya, P.S.- Barari, District- Katihar
 2. Suman Kumar Son Of Arun Kumar Yadav @ Arbind Yadav R/V- Kuriya, P.S.- Barari, District- Katihar
 3. Ujjwal Kumar Son Of Arun Kumar Yadav @ Arbind Yadav R/V- Kuriya, P.S.- Barari, District- Katihar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhola Prasad

For the Opposite Party/s : Mr. Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 16-01-2023 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 341, 323, 307, 504, 506, 34 of the Indian Penal Code and Section 27 of the Arms Act.

Petitioners are said to have abused the informant and also assaulted him by means of lathi.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He submits that though there is allegation against the petitioners to assault the informant but no injury was found upon the victim. He further submits that petitioner no. 1 has three criminal antecedent, petitioner no. 2 has four criminal



antecedent and petitioner no. 3 has two criminal antecedent as stated in para-3 of this application.

Learned APP for the State and learned counsel for the informant oppose the prayer for bail and submit that the petitioner no. 1 has five criminal antecedents.

Considering the facts and circumstances of the case, let the above named petitioners in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail 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 Barari P.S. Case No. 237 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

The bail bond of the petitioner no. 1 shall be accepted on verification of the criminal antecedent to the petitioner no. 1 by the learned court below. If it is found that the petitioner no. 1 has five criminal antecedent in place of three criminal antecedent as stated above, the bail bond of the petitioner no. 1 will not be accepted.

(Anjani Kumar Sharan, J)

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