

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65054 of 2022

Arising Out of PS. Case No.-167 Year-2022 Thana- KALYANPUR District- East Champaran

1. GULAM MIYA SON OF BABUJAN MIYA @ MOHAMMAD BABUJAN MIYA R/O VILL.- BAHUARA HARIBANSH, P.S.- KALAYANPUR, DISTT.- EAST CHAMPARAN
2. AYUB MIYA SON OF BABUJAN MIYA @ MOHAMMAD BABUJAN MIYA R/O VILL.- BAHUARA HARIBANSH, P.S.- KALAYANPUR, DISTT.- EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhannjay Kumar No 2
For the Opposite Party/s : Mr.Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 17-03-2023 Heard learned counsel for the petitioners and the State.

Petitioners apprehend their arrest in a case registered for the offence punishable under Section 307, 353, 427 and some other ancillary Sections of the Indian Penal Code.

As per the prosecution case, all the FIR named accused persons, including these petitioners, attacked upon the police party and also damaged the police vehicle and put hindrance in their official duty. Three persons sustained injuries in the incident.

Learned counsel appearing for the petitioners submits that petitioners are innocent and have falsely been implicated in



the case. Allegation of assault against the petitioners is general and omnibus and no specific overt act has been alleged against them. It is further submitted that at the relevant petitioners were not present at the place of occurrence. Petitioners have got clean antecedent.

Learned counsel appearing for the State opposes the prayer for anticipatory bail.

Considering the facts of the case and clean antecedent of the petitioners, let the petitioners, above named, in the event of their arrest/ surrender within a period of six weeks from today shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, East Champaran, Motihari in connection with Kalyanpur PS case No. 167/ 2022, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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