

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69609 of 2023

Arising Out of PS. Case No.-11 Year-2023 Thana- LAUKARIA District- West Champaran

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1. Devendra Sah @ Devendra Kushwaha Son Of Jay Shree Bhagat @ Jai Shree Bhagat Resident Of Village- Bhelahi, Ward No. 12, Ps- Laukariya, Dist- West Champaran
 2. Dhirendra Sah @ Dhirendra Kumar Son Of Jay Shree Bhagat @ Jai Shree Bhagat Resident Of Village- Bhelahi, Ward No. 12, Ps- Laukariya, Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lokesh Kumar Singh

For the Opposite Party/s : Mr.Jharkhandi Upadhyay

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 09-11-2023 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 341, 332, 323, 325, 353, 504, 506/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. Petitioners are said to have abused and assaulted the forest personnel and took away the tractor from their custody.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He submits that there is no specific overt act against the petitioners. He submits that there is general and omnibus allegation levelled against the petitioners. He submits that altogether 7 accused persons out of 9 accused persons named in the FIR have been granted anticipatory bail by the learned court below itself. He submits that



occurrence took place on 03.02.2023 but the FIR has been lodged on 05.02.2023 after delay of 2 days without explaining any reasonable cause of delay. He further submits that petitioner no. 1 has one criminal antecedent and petitioner no. 2 has no criminal antecedent as stated in para-3 of the bail application.

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

6. 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 Laukariya P.S. Case No. 11 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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