

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67964 of 2022

Arising Out of PS. Case No.-174 Year-2022 Thana- BALIYA District- Begusarai

1. Bhagwan Das Son Of Late Kapildev Das R/O Village- Pokharia Ward No.18, P.S.- Ballia, District- Begusarai
2. Doman Das Son Of Late Kapildev Das R/O Village- Pokharia Ward No.18, P.S.- Ballia, District- Begusarai
3. Arjun Das Son Of Late Kapildev Das R/O Village- Pokharia Ward No.18, P.S.- Ballia, District- Begusarai
4. Banti Kumar Son Of Bhagwan Das R/O Village- Pokharia Ward No.18, P.S.- Ballia, District- Begusarai
5. Pappu Das @ Ranjeet Kumar Das Son Of Bhagwan Das R/O Village- Pokharia Ward No.18, P.S.- Ballia, District- Begusarai
6. Naresh Das @ Naresh Kumar Das Son Of Bhagwan Das R/O Village- Pokharia Ward No.18, P.S.- Ballia, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Randhir Kumar No.1, Advocate

For the Opposite Party/s : P. K. Pandey, Addl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 04-04-2023 Heard learned counsel for the petitioners and the State.

Petitioners apprehend their arrest in a case registered for the offence punishable under sections 341, 323, 342, 457, 352, 379, 504, 506, 34 of the Indian Penal Code.

As per the prosecution case, petitioners and other accused persons armed with lathi-danda, etc. came to the shop of the informant. They assaulted the informant and his family members, damaged the shop, threw the articles and took away



some cash.

Learned counsel for the petitioners submits that the petitioners are quite innocent and have committed no offence and they have been falsely implicated in this case due to land dispute. There is general and omnibus allegation against the petitioners and no overt act has been alleged against them. Injuries caused by the petitioners have been found to be simple in nature by the doctor. There is delay of 6 days in lodging of the F.I.R and there is no explanation of delay. Petitioners have got no criminal antecedent.

Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioners, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai in connection with Balia P.S. Case No. 174 of 2022, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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