

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73432 of 2022

Arising Out of PS. Case No.-21 Year-2022 Thana- KAMTAUL District- Darbhanga

1. SURAT ROY S/O RASO ROY Resident of village- Ahiyari Got, P.S.- Kamtaul, District- Darbhanga.
2. LALIT ROY S/O SURAT ROY Resident of village- Ahiyari Got, P.S.- Kamtaul, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Bhushan Prasad

For the Opposite Party/s : Mr.Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-03-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 149, 341, 323, 324, 354(B), 379, 504 and 506 of the Indian Penal Code.

Allegation against the petitioners is that they along with other accused persons assaulted the informant and her family members.

Learned counsel for the petitioners submits that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that there is case and counter



case between the parties and both sides have sustained injury. Injury was found simple in nature. He submits that the occurrence had taken place on 08.01.2022 and the FIR was lodged on 16.01.2022 after delay of eight days, there is no explanation to the delay in filing present FIR, which creates serious doubt on the prosecution case. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposes prayer for anticipatory bail.

Considering the facts and circumstances of the case and the fact that there is delay in filing the FIR, let 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 Kamtaul P.S. Case No.21 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

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