

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74556 of 2023

Arising Out of PS. Case No.-701 Year-2023 Thana- BHABHUA District- Kaimur (Bhabua)

1. NANDLAL BIND S/O SHIV KUMAR BIND R/O VILLAGE- DUGHARA, P.S- BHABUA, DISTT.- KAIMUR AT BHABUA.
2. NIRAJ BIND S/O NANDLAL BIND R/O VILLAGE- DUGHARA, P.S- BHABUA, DISTT.- KAIMUR AT BHABUA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan
For the Opposite Party/s : Mr. Rajendra Nath Jha

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 01-12-2023 Heard the parties.

2. The petitioners apprehends their arrest in a case registered for the offence punishable under Sections 341, 323, 324, 307, 504, 34 of the Indian Penal Code.

3. Allegedly, the petitioners and others assaulted on the head of the brother of the informant due to which he sustained injury.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is no specific overt act against the petitioners. He further submits that the bail application of the petitioners was rejected by the learned Court below only on the ground that the



injury has been found on the vital part of the body. There is a case and counter case between the parties, earlier the petitioner’s side filed a case against the informant thereafter the informant has filed the present case. He further submits that the injuries are of simple nature. Petitioners have no criminal antecedent.

5. Learned APP for the State opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case as the injuries are of simple nature, 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 court below where the case is pending/Successor Court in connection with Bhabua P.S. Case No.701 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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