

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72664 of 2023

Arising Out of PS. Case No.-212 Year-2023 Thana- KEWATI District- Darbhanga

1. Kapil Kumar @ Kapil Kumar Sah Son Of Late Lattun Sah R/O Village- Barhi, P.S.- Keoti, Dist.- Darbhanga
2. Raju Kumar @ Raju Kumar Sah Son Of Late Bhogi Sah R/O Village- Barhi, P.S.- Keoti, Dist.- Darbhanga
3. Shankar Kumar Das @ Shankar Das Son Of Late Jogindar Das R/O Village- Barhi, P.S.- Keoti, Dist.- Darbhanga
4. Md. Imteyaz Son Of Md. Mohammad Ali R/O Village- Barhi, P.S.- Keoti, Dist.- Darbhanga

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 01-12-2023 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 153, 160, 296, 323, 337, 338, 341, 342, 353 and 504 of the Indian Penal Code.

3. It is submitted by learned counsel for the petitioners 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. As per the F.I.R., allegation against the petitioners along with other co-accused persons have stopped the procession of Tazia on occasion of Muharram due to which some altercation occurred between two community. Petitioners awarded allegation on the basis of C.C.T.V. footage by the local chaukidar. He further submits that petitioners were not present at the time of occurrence. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

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

5. Having regard to the facts and circumstances of the case, considering there is no overt act against the petitioners, 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 Keoti P.S. Case No.212 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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