

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71880 of 2022

Arising Out of PS. Case No.-394 Year-2021 Thana- DANAPUR District- Patna

1. Pushpa Devi Wife Of Saroj Kumar Vishwakarma R/O Mohalla- Shiv Mandir Road, P.S.- Danapur, District- Patna
2. Saroj Kumar Vishwakarma @ Munna Son Of Rameshwar Mistri R/O Mohalla- Shiv Mandir Road, P.S.- Danapur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar

For the Opposite Party/s : Mr. Tarun Prasad Mandal

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-03-2023 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, 307, 379, 448 and 504 of the Indian Penal Code.

Allegation against the petitioners is that they along with other 10-15 unknown persons assaulted the informant, her husband and son. It is further alleged that the they have snatched the chain of the informant and Rs. 5,000/- from her tenant.

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. There is admitted land dispute between the



parties. He submits that occurrence took place on 06.06.2021 and the FIR was lodged on 11.06.2021, there is no explanation of delay in filing the present case, which creates serious doubt on the prosecution. He submits that there is case and counter case between the parties and both sides have sustained injuries, injuries was found simple in nature. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposes prayer for bail.

Considering the facts and circumstances of the case and the fact that there is case and counter case between the parties, 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 Danapur P.S. Case No.394 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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