

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70774 of 2022

Arising Out of PS. Case No.-64 Year-2021 Thana- KHUDWA District- Aurangabad

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1. Shivprasad Sharma Son Of Late Chandradev Sharma R/V- Malwan Dehuri, P.S- Kudwan, Dist- Aurangabad
 2. Rajesh Sharma @ Rajesh Kumar Son of Shivprasad Sharma R/V- Malwan Dehuri, P.S- Kudwan, Dist- Aurangabad

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Ashok Kumar Singh, Advocate
For the Opposite Party : Mr.Mohammad Sufyan, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 21-03-2023 Heard learned counsel for the petitioners and the State.

Petitioners apprehend their arrest in a case registered for the offence punishable under Sections 379/504/34 and other allied sections of the Indian Penal Code.

Prosecution's case in short is that all the FIR named accused persons including these petitioners came at the house of informant, armed with weapons abused, assaulted and took away mobile phone.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. There is no allegation of assault against petitioner no.1,petitioner no.2 is alleged to have snatched mobile phone



of the informant and allegation of assault is against other accused persons. After investigation, police submitted final form against these petitioners but the Court below differing with the same, took cognizance of the offence against these petitioners also.

Considering the nature of allegation against the petitioners, in the event of arrest/surrender within six weeks from today, let the petitioners, named above, be released 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 Chief Judicial Magistrate, Aurangabad in Khudwan Police Station Case No. 64/2021, subject to the conditions laid down under sections 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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