

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72172 of 2022

Arising Out of PS. Case No.-358 Year-2019 Thana- BASANTPUR District- Siwan

1. Prakash Kumar Son Of Sri Kishore Mahto @ Shree Kishor Mahato R/O Village- Sheikhpura, P.S.- Basantpur, District- Siwan
2. Pakaudi Kumar @ Abhyas @ Pakaudi Son Of Sri Kishore Mahto @ Shree Kishor Mahato R/O Village- Sheikhpura, P.S.- Basantpur, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh

For the Opposite Party/s : Mr. Ram Priya Sharan Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-03-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 341, 323, 324, 307, 379, 504, 506 and 34 of the Indian Penal Code pending in the learned court below.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He submits that there is no specific overt act against the petitioners. He further submits that there is specific overt act against the father of the deceased to assault the informant by means of ‘*Gadasa*’ and injuries is kept in reserved. He submits that the petitioners and the informant are co-villagers and there



is land dispute between the parties. He further submits that petitioners have got no criminal antecedent as stated in para-3 of the bail application.

Learned APP for the State opposes for prayer for bail.

Considering the aforesaid facts and circumstances, let the petitioners, named above, in the event of their arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Basantpur P.S. Case No.358/2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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