

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74657 of 2023

Arising Out of PS. Case No.-522 Year-2021 Thana- SIKARPUR District- West Champaran

1. Anup Mishra @ Anup Kumar Mishra Son Of Late Ghan Shyam Mishra
Resident Of Village - D.K. Shikarpur, Ward No.07, Police Station -
Shikarpur, District - West Champaran
2. Jhunna Rao @ Munna Rao @ Munna Kumar Rao Son Of Lal Babu Rao
Resident Of Village - D.K. Shikarpur, Ward No.07, Police Station -
Shikarpur, District - West Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Milind Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-12-2023 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 379, 171(E), 504 and 34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition & Excise Act pending in the learned court below.

3. As per the prosecution case, the informant alleged that the petitioner and other co-accused persons were distributing liquor and money to the voters. When the informant and others objected they abused and damaged the motor-cycle.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He further submits that there is general and omnibus



allegation against the petitioners. He submits that there is no specific overt act against the petitioners. He further submits that informant and petitioners are co-villagers. He further submits that petitioners have got no criminal antecedent as stated in para-3 of the bail application.

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

6. Considering the aforesaid facts and circumstances and the fact that there is no specific overt act against the petitioners, 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 Shikarpur P.S. Case No.522 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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