

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3808 of 2023

Arising Out of PS. Case No.-200 Year-2021 Thana- DUMARIAGHAT District- East
Champaran

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1. Abhishek Kumar @ Abhishek Kumar Singh S/O Mukesh Singh Resident Of Village- Khajuriya, P.S.- Dumariyaghat, District- East Champaran.
 2. Sujeet Kumar S/O Manoj Singh @ Manoj Kumar Resident Of Village- Khajuriya, P.S.- Dumariyaghat, District- East Champaran.
 3. Abhimanu Kumar S/O Mukesh Singh Resident Of Village- Khajuriya, P.S.- Dumariyaghat, District- East Champaran.
 4. Manoj Kumar @ Manoj Singh S/O Late Chandrakhet Singh Resident Of Village- Khajuriya, P.S.- Dumariyaghat, District- East Champaran.

... .. Petitioners

Versus

The State of Bihar

... Opposite Party/s

Appearance :

For the Petitioner/s	:	Mrs Rashmi Jha, Advocate Mr..Abhishek Kumar, Advocate
For the State for the informant	:	Mr.Anuj Kr Shrivastava, Addl Public Prosecutor Mr. SB Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 05-05-2023 Heard learned counsel for the petitioners, the State and the informant.

Petitioners apprehend arrest in a case registered for the offence punishable under sections 307/379 and other ancillary sections of the Indian Penal Code.

As per the prosecution case, all the FIR named accused persons including the petitioners and 10 to 15 unknown accused persons assaulted one Dhananjay Kumar Singh by means of farsa, lathi, danda etc. Accused persons snatched Rs.5000/- from his pocket

Learned counsel appearing for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case due to political rivalry. Instant case is counter blast to Dumariyaghat Police Station Case No. 201 of



2021 lodged by petitioner no.4. There is general and omnibus allegation of assault against all the accused persons and no specific overt act has been alleged against these petitioners. Injuries caused by the petitioners are simple in nature.

Learned counsel for the State as well as the informant oppose the prayer for bail. They submit that there is allegation against these petitioners of assault to Dhananjay Kumar Singh. Moreover, petitioner no.4 has criminal antecedent.

Considering the aforesaid facts of the case, prayer for bail of all the petitioners no. 1, 2 and 3 is allowed. In the event of arrest/surrender within six weeks from today, let these petitioners, mentioned above, be enlarged 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 Judicial Magistrate I Motihari, East Champaran in Dumariyaghat Police Station Case No. 200 of 2021, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

Keeping in view criminal antecedent of petitioner no.4, his prayer for bail is refused.

(Prabhat Kumar Singh, J)

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