

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73740 of 2022

Arising Out of PS. Case No.-135 Year-2022 Thana- DIDARGANJ District- Patna

1. SURAJ KUMAR S/o Sarwanand Singh R/o village- Gulamehiabagh, P.S.- Didarganj, Distt- Patna.
2. Gorelal @ Raushan Kumar S/o Sarwanand Singh R/o village- Gulamehiabagh, P.S.- Didarganj, Distt- Patna.
3. Vikky @ Akash Kumar S/o Sarwanand Singh R/o village- Gulamehiabagh, P.S.- Didarganj, Distt- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Vinod Pandey, Adv.
For the Opposite Party/s :	Mr.Jai Narain Thakur, APP.
	Mr. Arvind Prasad Singh, Adv.
	Mr. Suresh Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 10-04-2023 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 341, 323, 325, 308, 379, 504, 34 of the Indian Penal Code.

Allegedly, petitioners along with other accused persons assaulted the informant and his family members. Co-accused Vishal Kumar assaulted the informant's son Abhishek Kumar with pistol butt on his head due to which he sustained grievous injury.

It is submitted by learned counsel for the petitioners that



petitioners are quite innocent and have committed no offence. No such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. The informant hatched a conspiracy to take revenge and to make pressure on the entire family of petitioners to withdraw the previous case lodged by Minta Devi against this informant and his family members i.e. Didarganj P.S. Case No. 88 of 2008. There is admitted land dispute between the parties. The injury sustained by the victim Abhishek Kumar is grievous in nature which was caused by co-accused Vishal Kumar. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State as well as learned counsel for the informant opposed the prayer for bail and submitted that there is specific allegation against the petitioners that they assaulted the informant's son brutally due to which he sustained grievous injury. Learned counsel for the informant filed counter affidavit. He also enclosed the photographs of the injured person.

Having regard to the facts and circumstances of the case, as there is general and omnibus allegation against the



petitioners, 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 Didarganj P.S. Case No. 135 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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