

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74202 of 2022

Arising Out of PS. Case No.-349 Year-2018 Thana- JAGDISHPUR District- Bhojpur

1. Mahendra Mushar Son Of Nand Kishor Mushar R/V- Chhotaki Haradiya, P.S- Jagdishpur, Dist- Bhojpur
2. Munna Mushar Son Of Ram Chandra Mushar R/V- Chhotaki Haradiya, P.S- Jagdishpur, Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shiv Prasad Gupta

For the Opposite Party/s : Mr.Narendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 23-03-2023 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners have filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 147, 323, 324, 307, 379, 504 of the Indian Penal Code.

The prosecution case in nutshell is that petitioners and other co-accused persons entered in the house of informant and started abusing. When the informant objected, they assaulted him with iron rod. When his family members came for his rescue, they



were also assaulted. It is further alleged that accused persons took away Rs. 20,000/-.

It is submitted by learned counsel for the petitioners that the petitioners are innocent and they have committed no offence. They have falsely been implicated in the present case. There is no specific overt act of allegation against the petitioners rather the allegation levelled against the petitioners are general and omibus. Nothing has been recovered from their possession. The injuries sustained by the victims are simple in nature. It is also submitted that petitioners are languishing in judicial custody since 20.09.2022. A statement has been made in para 3 of the petition that petitioners have no criminal antecedent. Similarly situated co-accused persons have been granted bail vide order dated 24.01.2023, passed in Cr. Misc. No. 59896 of 2022 by the co-ordinate Bench of this Court.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.



Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail in connection with Jagdishpur P.S. Case No. 349 of 2018 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhojpur, Ara.

(Sunil Kumar Panwar, J)

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