

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73246 of 2022

Arising Out of PS. Case No.-143 Year-2022 Thana- KOTWA District- East Champaran

1. SANJAY YADAV @ SANJAY KUMAR YADAV @ SANJAY KUMAR
Son of Indradev Rai Resident of Village- Bhopatpur, P.S.- Kotwa, District-
East Champaran
2. KRISHNA KUMAR SAH @ KRISHNA SAH Son of Ganesh Sah Resident
of Village- Bhopatpur, P.S.- Kotwa, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kundan Rathore@ Kundan Kumar, Adv.

For the Opposite Party/s : Mr.Shailendra Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 23-03-2023 Heard the parties.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 323, 324, 325, 353, 332, 307, 427, 440, 447, 448, 504, 506, 34 of the Indian Penal Code.

The prosecution story, in short, is that after the postmortem of the deceased Ritesh Raj, some miscreants keeping the dead body on road created nuisance. When the informant along with other police personnel reached there and tried to pacify the matter, the assembled accused persons assaulted the police personnel.

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 high handiness of the police. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. The injuries sustained by the informant and police personnel are simple in nature. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

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 Kotwa (Bhopatpur OP) P.S. Case No. 143 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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