

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73760 of 2022

Arising Out of PS. Case No.-78 Year-2020 Thana- ALIPUR District- Gaya

1. ASHUTOSH KUMAR @ BALBIR CHAND S/O LATE AWADHESH SHARMA Resident of village- Kotalupur, P.S- Ali Pur, District- Gaya (Bihar),
2. SHUSHIL KUMAR @ TINKU KUMAR S/O LATE AWADHESH SHARMA Resident of village- Kotalupur, P.S- Ali Pur, District- Gaya (Bihar),
3. PRAHALAD KUMAR S/O SURESH SHARMA Resident of village- Kotalupur, P.S- Ali Pur, District- Gaya (Bihar),

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar, Adv.

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia, 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 341, 323, 379, 354, 452, 504 of the Indian Penal Code.

Allegedly, petitioners, along with other accused persons, entered the house of the informant and looted a bag which contains gold articles and Rs. 50,000/-.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. All the petitioners are students. No such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case. The



allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is admitted land dispute between the parties. It is further submitted that there is case and counter case between the parties. Before lodging this case, petitioner side had lodged Alipur P.S. Case No. 76 of 2020 against the husband of the informant and the allegation against the informant's husband is that he assaulted the petitioner's grandfather with lathi due to which he sustained head injury. 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, no any article has been recovered from the concerned physical possession of 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 Alipur P.S. Case No.78 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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