

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2870 of 2023

Arising Out of PS. Case No.-79 Year-2022 Thana- SALAIYA District- Aurangabad

1. Chandradeo Bhuiyan S/O Late Sukun Bhuiyan Resident Of Village- Chei, P.S.- Salaiya, District- Aurangabad (Bihar).
2. Gupta Bhuiyan S/O Chandradeo Bhuiyan Resident Of Village- Chei, P.S.- Salaiya, District- Aurangabad (Bihar).
3. Dulari Devi W/O Chandradeo Bhuiyan Resident Of Village- Chei, P.S.- Salaiya, District- Aurangabad (Bihar).
4. Laxmi Devi W/O Srawan Bhuiyan Resident Of Village- Chei, P.S.- Salaiya, District- Aurangabad (Bihar).
5. Srawan Bhuiyan S/O Chandradeo Bhuiyan Resident Of Village- Chei, P.S.- Salaiya, District- Aurangabad (Bihar).
6. Rajkaliya Devi W/O Gupta Bhuiyan Resident Of Village- Chei, P.S.- Salaiya, District- Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Leelawati Kumari
For the Opposite Party/s : Mr. Chandra Sen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 09-02-2023 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 323, 341, 442, 354, 379, 392, 394, 426, 504, 506 of the Indian Penal Code.



Allegation against the petitioners is that they have misbehaved and assaulted the informant and her family members.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He also submits that the petitioners have no criminal antecedent as mentioned in para-3 of this application. He further submits that the occurrence had taken place on 13.07.2022 and the FIR was lodged on 07.09.2022. There is inordinate and abnormal delay of 56 days in lodging the FIR without assigning any plausible and cogent reason for the said delay, which creates serious doubts about the prosecution case.

Having regard to the facts and circumstances of the case, 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 Salaiya P.S. Case No.79 of 2022,



subject to the condition as laid down under Section 438 (2) of
the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

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