

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74540 of 2022

Arising Out of PS. Case No.-114 Year-2020 Thana- KORANSARAI District- Buxar

1. SUDHIR PANDEY @ SUDHIR KUMAR PANDEY Son of Kamal Pandey @ Kamal Narayan Pandey R/v- Kachainiya, P.S.- Koran Sarai, District- Buxar
2. DHEERAJ PANDEY @ DHERAJ DHURANDAR PANDEY Son of Kamal Pandey @ Kamal Narayan Pandey R/v- Kachainiya, P.S.- Koran Sarai, District- Buxar

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shree Kant Pandey
For the Opposite Party/s : Mr. Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-03-2023 Heard learned counsel for the petitioners as well as learned APP for the State.

Learned counsel for the petitioners filed a supplementary affidavit in the Court. Let the same be accepted and kept on record.

The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 147, 148, 149, 341, 323, 504, 307, 306 of the Indian Penal Code.

The allegation against the petitioner no.1 is that he assaulted the informant by means of iron rod and the allegation against the petitioner no.2 is that he assaulted the father of informant due to which both of them sustained injuries.



It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to dirty village politics. No such occurrence, in the manner as alleged, has ever taken place. Fact is that there a altercation took place between children during playing cricket. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He further submits that the injuries caused by the petitioners is simple in nature, which is clear from the impugned order itself. He further submits that for the same occurrence two FIR was instituted against the petitioners, one by the informant of the present case (Annexure-1) and other by the police (Annexure-2). Petitioners have two criminal antecedent, as also mentioned in para-3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail.

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 court below where the case is pending/Successor Court in connection with Koran Sarai P.S. Case No.114 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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