

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75340 of 2022

Arising Out of PS. Case No.-320 Year-2020 Thana- TEKARI District- Gaya

1. RAHUL KUMAR SON OF ANIL KUMAR R/O SALEMPUR, PARAIYA, P.S.- PARAIYA, DISTT.- GAYA
2. KRISHNA GOPAL @ GOPI KRISHNA SON OF SANJAY KUMAR R/O SHAHWARI HOUSE TEKARI, P.S.- TEKARI, DISTT.- GAYA
3. RAHUL KUMAR @ RAHUL KUMAR SON OF KAPIL KUMAR SINGH R/O RIKABGANJ, MAGADH MEDICAL HOLL, P.S.- TEKARI, DISTT.- GAYA

... .. Petitioners.

Versus

The State of Bihar.

... .. Opposite Party.

Appearance :

For the Petitioner/s : Mr. Mithilesh Kumar Upadhyay, Advocate
For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 05-04-2023 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 341, 323, 342, 504, 506 & 353/34 of the Indian Penal Code.

While the informant was going to Raj Inter School with his team for collection of Covid-19 sample, the petitioners are said to have started assaulting the informant due to which he became unconscious and fell down on the ground. They also used abusive language and threatened to kill him.

It is submitted by learned counsel for the petitioners that 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. It is further submitted that earlier the petitioners were granted the benefit of Section 41 (a) Cr.P.C. but after investigation chargesheet has been submitted against the petitioners which is clear from the impugned order. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Having regard to the facts and circumstances of the case as well as the fact that earlier the petitioners were granted the benefit of Section 41 (a) Cr.P.C., 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 Tekari P.S. Case No.320 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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