

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4762 of 2023

Arising Out of PS. Case No.-483 Year-2020 Thana- KHAGARIA District- Khagaria

1. KISHAN KUMAR @ SAYJIT KUMAR Son of Late Sushant Singh Resident of Village - Rahimpur Charkhuti, P.S.- Khagaria (Muffasil), District - Khagaria (Bihar)
2. Raghav Chaudhary Son of Narayan Chaudhary Resident of Village - Rahimpur Charkhuti, P.S.- Khagaria (Muffasil), District - Khagaria (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bishweshwar Ram, Adv.
For the Opposite Party/s : Mr.Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 08-05-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners apprehend their arrest in a case registered for the offence punishable u/s 147, 148, 149, 341, 323, 325, 307, 385, 504 of the IPC.

As per the prosecution case, the F.I.R. named accused persons including the petitioners attacked the informant with various deadly weapons over demand of Rs.5 Lakhs, which loss was caused to them due to the evidence of the informant in a case against them.

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 ulterior motive. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. The specific allegation is against the co-accused Amrendra Chaudhary to fire upon the informant but the same did not hit him. Thereafter, other co-accused Pappu Chaudhary and Mukesh Chaudhary fired bullet, which hit on the left leg of the informant. Petitioner no.1 has four criminal antecedent and petitioner no.2 has one criminal antecedent. Several similarly situated co-accused have been enlarged on anticipatory bail by a co-ordinate Bench of this Court vide order dated 08.03.2022 passed in Cr. Misc. No.29513 of 2021.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since there is no specific overt act 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 court below where the case is pending/Successor Court
in connection with Suppl. Khagaria (Muffasil) P.S. Case
No.483 of 2020, G.R. No.2037C/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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