

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80917 of 2023

Arising Out of PS. Case No.-173 Year-2023 Thana- SAKRA District- Muzaffarpur

1. VIRENDRA KUMAR SINGH SON OF RAMAKANT SINGH R/O VILLAGE- HASANPUR MARKAN, P.S.- SAKRA, DISTRICT- MUZAFFARPUR
2. SUDHA DEVI WIFE OF VIRENDRA KUMAR SINGH R/O VILLAGE- HASANPUR MARKAN, P.S.- SAKRA, DISTRICT- MUZAFFARPUR
3. SUBHANSHU KUMAR @ RAHUL @ SUBHANSHU KUMAR SINGH SON OF VIRENDRA KUMAR SINGH R/O VILLAGE- HASANPUR MARKAN, P.S.- SAKRA, DISTRICT- MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hari Kishore Thakur, Adv.
For the Opposite Party/s : Mr.Dinesh Singh, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-12-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. Learned counsel for the petitioners seeks permission to withdraw this application in respect of petitioner no.3, submitting that during pendency of this application petitioner no.3 has been apprehended by the police.

3. Permission is granted.

4. Accordingly, this application is dismissed as withdrawn in respect of petitioner no.3 only.

5. Now this application survives for petitioner nos. 1 & 2.

6. The petitioners apprehend their arrest in a case



registered for the offences punishable under Sections 341, 323, 324, 354 (B), 307, 379, 34 of the Indian Penal Code.

7. Allegedly, all the accused persons including the petitioners are said to have assaulted the informant's side brutally with deadly weapons.

8. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. No such occurrence as alleged ever took place. Both the informant and petitioner no.1 are own brothers. Petitioners have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is specific allegation against other co-accused. There is admitted property dispute between the parties. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

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

10. Having regard to the facts and circumstances of the case, as there is no specific overt act against the petitioners, let the above named petitioner nos. 1 & 2, 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 Sakra P.S. Case No. 173 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

11. Accordingly, this application stands partly allowed.

(Anjani Kumar Sharan, J)

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