

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15290 of 2024

Arising Out of PS. Case No.-139 Year-2023 Thana- MIRGANJ District- Purnia

1. Bona Rishi @ Bouna Rishi Son of Bhumi Rishi Resident of Village- Mirganj Mushahari Tola, P.S.- Mirganj, Dist.- Purnea
2. Budhan Rishi @ Niraj Kumar Rishi Son of Bona Rishi @ Bouna Rishi Resident of Village- Mirganj Mushahari Tola, P.S.- Mirganj, Dist.- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 19-03-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. Petitioners apprehend their arrest in connection with
Mirganj P.S. Case No.139 of 2023 instituted under Sections 341,
323, 324, 325, 307, 379, 504/34 of I.P.C.

3. Allegation against both the petitioners is that they
along with other co-accused assaulted the informant and pressed
the neck of the informant.

4. Learned counsel for the petitioners submits that the
petitioners are innocent and have falsely been implicated in this
case. The alleged occurrence took place on 02.05.2023,
however, the complaint petition was filed on 03.07.2023 on the



basis of which F.I.R. has been registered which casts serious doubt regarding prosecution story. There is general and omnibus allegation against the petitioners and the main allegation is made against co-accused Benga Rishi that he assaulted the informant with knife but the same is not corroborated by medical evidence. Petitioners have no criminal antecedent and the petitioners are ready to cooperate with the investigation.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea in connection with Mirganj P.S. Case No.139 of 2023, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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