

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20771 of 2024

Arising Out of PS. Case No.-309 Year-2023 Thana- PIRBAHOR District- Patna

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1. Sunny Raj @ Sunny S/o Arun Prasad R/o Mohalla - Dariyapur, Chik Toli Gali, Kutubuddin Lane, P.s. - Pirbahore, Distt. - Patna
 2. Naushad @ Naushad Alam @ Gunna S/o Md. Ahamad Hussan R/o Mohalla - Dariyapur, Chik Toli Gali, Kutubuddin Lane, P.s. - Pirbahore, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 02-04-2024 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Pirbahore P.S. Case No. 309 of 2023 for the offence punishable under Sections 147, 148, 149, 341, 323, 354 and 504 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, the petitioner and other co-accused persons under drunken condition were indulging in molestation of girls and assaulted the informant and others and also opened fire.



4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. The instant FIR is counter version of FIR bearing Pirbahore P.S. Case No. 320 of 2023 lodged by co-accused Md. Majid Khan against the informant and others as they assaulted the petitioner No. 1 who became unconscious. The occurrence took place as children were celebrating EID and this fact could also been seen in the CCTV footage. The petitioners have no criminal history.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioners.

6. Considering the aforesaid facts and circumstances of the case and considering the general, vague and non-specific nature of allegation against the petitioners and the possibility of false implication in the light of counter case, let the petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned Court concerned, Patna in connection with Pirbahore P.S. Case 309 of 2023 subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.



7. The application stands allowed.

(Arun Kumar Jha, J)

Prakash/-

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