

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42249 of 2024

Arising Out of PS. Case No.-40 Year-2022 Thana- NAYAGAON District- Begusarai

1. Anita Devi Wife of Manoj Das R/O Vill.- Dariyapur, ward no. 05, P.S.- Nayagaon, Dist.- Begusarai
2. Manoj Das Son of Ramkhelawan Das R/O Vill.- Dariyapur, ward no. 05, P.S.- Nayagaon, Dist.- Begusarai

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arjun Prasad, Adv.

For the Opposite Party/s : Mr. Dilip Kumar no.1, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 02-08-2024 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable u/s 323, 324, 325, 326, 380, 384, 307, 354(B) of the IPC.

3. Allegedly, the F.I.R. named accused persons including the petitioners are said to have indiscriminately assaulted the informant's side by means of various deadly weapons.

4. 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 levelled against the petitioners are general and omnibus in nature. There is specific overt act against co-accused Brajesh Kumar. Both the parties are own agnates and there is admitted land dispute between them. There is case and counter case between the parties. The present case has been lodged after delay of 7 days, which shows that the present case has been lodged afterthought. It is further submitted that similarly situated co-accused have been granted bail by this Court vide order dated 21.12.2023 in Cr. Misc. No. 81606 of 2023 on the ground that police has filed final form against them after investigation. He further submits that petitioners have no criminal antecedent.

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

6. Having regard to the facts and circumstances of the case, since there is case and counter case between the parties, 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 Nayagaon
(Nayagoan) P.S. Case No.40 of 2022, subject to the conditions
as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

divyanshi/-

U		T	
---	--	---	--

