

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50025 of 2024

Arising Out of PS. Case No.-102 Year-2024 Thana- PAKRIDAYAL District- East Champaran

1.

Ashutoosh Tiwari @ Ashutosh Tiwari Son of Hrishankar Tiwari R/O Vill.- Majhauilya, P.S.- Pakardayal, Dist.- East Champaran at Motihari
2.

Uma Rai Son of Late Chandradeo Rai MOTIHARIR/O Vill.- Majhauilya, P.S.- Pakardayal, Dist.- East Champaran at Motihari

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Shashank Shekhar, Advocate
For the Opposite Party/s :	Mr. Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3

21-09-2024

Heard learned counsel for the petitioners and learned APP for the State. Perused the case diary.

2. The petitioners seek bail in connection with Pakaridayal P.S. Case No. 102 of 2024 instituted for the offence under Sections 147, 148, 149, 323, 324, 307, 336, 457, 380, 354(B), 427 & 504 of the Indian Penal Code.

3. Prosecution case in a nutshell is that over a trivial dispute, seventeen accused persons being variously armed intruded in the house of the informant, where after the accused



persons assaulted him by means of iron, knife etc. It is also alleged that they have taken away some articles.

4. It has been submitted on behalf of the petitioners that the petitioners are in custody since 29-04-2024. Petitioners claim clean antecedent.

5. It has been further submitted by the petitioners' counsel that petitioners have been falsely implicated in the present case. There is no specific allegation of assault levelled against the petitioner, rather allegation is general and omnibus in nature. It is next submitted that there is case and counter case between the parties, which is filed by the petitioner No.1 herein. Learned counsel submits by referring to the injury report that injury is found to be simple in nature. It is lastly submitted that charge sheet has been submitted in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioners, clean antecedent of the petitioners, there being case and counter case between the parties and charge sheet being submitted, this Court is inclined to grant bail to the petitioners.

8. Let the petitioners be released on bail on



furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Pakaridayal P.S. Case No. 102 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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