

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52029 of 2024

Arising Out of PS. Case No.-765 Year-2023 Thana- MUFFASIL District- West Champaran

1. HARI NARAYAN PRASAD SON OF LATE PARICHHAN PRASAD R/O- VILLAGE- BRAJMALA, BISAMBHARPUR, WARD NO. 04, P.S.- MUFASSIL, DISTT.- WEST CHAMPARAN
2. SANJAY KUMAR @ SANJAY PRASAD SON OF HARI NARAYAN PRASAD R/O- VILLAGE- BRAJMALA, BISAMBHARPUR, WARD NO. 04, P.S.- MUFASSIL, DISTT.- WEST CHAMPARAN
3. MANOJ KUMAR @ MANOJ PRASAD SON OF HARI NARAYAN PRASAD R/O- VILLAGE- BRAJMALA, BISAMBHARPUR, WARD NO. 04, P.S.- MUFASSIL, DISTT.- WEST CHAMPARAN
4. RAJA KUMAR SON OF VIJAY PRASAD R/O- VILLAGE- BRAJMALA, BISAMBHARPUR, WARD NO. 04, P.S.- MUFASSIL, DISTT.- WEST CHAMPARAN
5. VIJAY PRASAD SON OF VISHWANATH MAHTO @ VISHWANATH PRASAD R/O- VILLAGE- BRAJMALA, BISAMBHARPUR, WARD NO. 04, P.S.- MUFASSIL, DISTT.- WEST CHAMPARAN
6. VISHWANATH PRASAD 2 VISHWANAT MAHTO SON OF LATE PARICHHAN PRASAD R/O- VILLAGE- BRAJMALA, BISAMBHARPUR, WARD NO. 04, P.S.- MUFASSIL, DISTT.- WEST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Adv.
For the Opposite Party/s : Mr. Umanath Mishra, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-09-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 354B, 504, 379 of the Indian Penal



Code.

3. Allegedly, all the FIR named accused persons including the petitioners are said to have abused and assaulted the informant's side brutally with deadly weapons due to which they sustained several injuries.

4. It is submitted by learned counsel for the petitioners that the petitioners are quite innocent and have committed no offence. No such occurrence as alleged has ever taken place. Petitioners have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is totally false and based on concocted facts. There is admitted land dispute between the parties. Both sides have filed cases against each other. It is further submitted that petitioner no.6 has sustained grievous injury during the course of alleged occurrence, whereas the informant's side has sustained simple injuries. Petitioner no.3 has one criminal antecedent and rest of the petitioners have no criminal antecedent as mentioned in para-3 of this application.

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

6. Having regard to the facts and circumstances of the case, 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 lower Court where the case is pending/successor Court in connection with Bettiah (Muffasil) P.S. Case No. 765 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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