

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57309 of 2023

Arising Out of PS. Case No.-206 Year-2023 Thana- ARA MUFFSIL District- Bhojpur

1. RADHESHYAM PASWAN @ RADHESHYAM RAM S/O LATE DAROGA PASWAN R/O VILLAGE- JAGWALIYA, PS. ARA MUFFASIL, DIST. BHOJPUR
2. ARVIND KUMAR @ ARVIND PASWAN S/O RADHESHYAM PASWAN R/O VILLAGE- JAGWALIYA, PS. ARA MUFFASIL, DIST. BHOJPUR

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Mohammed Arif

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 18-01-2024 Heard the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 341, 323, 324, 325, 326, 379, 307, 34 of the Indian Penal Code and u/s 27 of Arms Act.

3. The allegation against the petitioners is that they along with other co-accused persons assaulted the informant's father by means of fire arms and other 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. No such occurrence, in the manner as alleged, has ever taken place. The



allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is no specific overt act against the petitioners. He further submits that the injury report has not supported the prosecution case. Petitioner no.1 has two criminal antecedent and petitioner no.2 has no criminal antecedent.

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

6. Having regard to the facts and circumstances of the case as the injury report has not supported the prosecution 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 court below where the case is pending/Successor Court in connection with Ara Muffasil P.S. Case No.206 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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