

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68635 of 2023

Arising Out of PS. Case No.-380 Year-2022 Thana- MIRGANJ District- Gopalganj

1. BHOLA RAI @ ABHAY RAI Son of Anirudh Rai RESIDENT OF VILLAGE PACHPHERA P.S MIRGANJ DIST GOPALGANJ
2. Bittu Rai @ Nirbhay Rai @ Bttu Rai @ Nirbhay Kumar Rai Son of Pawan Rai RESIDENT OF VILLAGE PACHPHERA P.S MIRGANJ DIST GOPALGANJ

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar Singh, Adv.

For the Opposite Party/s : Mr.Madan Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 25-01-2024 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 341, 323, 307, 379, 427, 504, 506 and 34 of the Indian Penal Code.

3. Allegedly, all the accused persons including the petitioners are said to have assaulted the informant brutally with deadly weapons due to which he sustained injuries.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. No such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is



not specific rather general and omnibus in nature. Both the parties are co-villagers and there is previous enmity between them. Though there is allegation against the petitioners to assault the informant brutally by barrel of gun and rifle, but as per the injury report enclosed in the case diary, the injuries of the informant are simple in nature. Petitioners have two criminal antecedents as mentioned in para-3 of this application.

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

6. Having regard to the facts and circumstances of the case as well as considering the nature of the injuries sustained by the informant, 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 Mirganj P.S. Case No. 380 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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