

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72871 of 2024

Arising Out of PS. Case No.-27 Year-2023 Thana- KARPI District- Jehanabad

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1. Mukesh Kumar Son of Upendra Sharma R/O- Shivnagar, P.S- Karpi, District- Arwal
 2. Shivam Kumar Son of Ram Sidh Sharma R/O- Shivnagar, P.S- Karpi, District- Arwal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Adv.
For the Opposite Party/s : Mr. Zainul Abedin, APP.
Mr. Manoj Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 20-12-2024 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 and 308 of the Indian Penal Code.

3. Allegedly, all the FIR named accused persons including the petitioners are said to have assaulted the informant's side brutally by means of deadly weapons due to which they sustained 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.



They have falsely been implicated in this case due to ulterior motive. The allegation levelled against the petitioners is totally false and based on concocted facts. Nothing specific has been attributed against the petitioners. They have no criminal antecedent as mentioned in para-3 of this application. It is further submitted that after investigation, the police has filed final form against the petitioners, but later on, the learned Court below differing from the final form took cognizance against them. It is further submitted that similarly situated co-accused have been enlarged on bail by this court vide order dated 04.08.2023 passed in Cr. Misc. No. 40338 of 2023.

5. Learned APP for the State as well as learned counsel for the informant opposes the prayer for bail.

6. Having regard to the facts and circumstances of the case, since the police has filed final form against the petitioners, 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 Karpi P.S. Case No.27 of 2023, subject to the



condition as laid down under Section 438 (2) of the Cr.P.C.

7. Petitioners are directed to cooperate in the trial. If the petitioners fail to appear before the learned Court below on two consecutive dates fixed in the case, the prosecution will be at liberty to file an application for cancellation of bail bonds of the petitioners before the learned Court below.

(Anjani Kumar Sharan, J)

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