

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84270 of 2023

Arising Out of PS. Case No.-82 Year-2023 Thana- HARLAKHI District- Madhubani

1. Motilal Paswan Son Of Lakshmi Paswan Resident Of Village- Sothgaon, Ps- Harlakhi, Distt- Madhubani
2. Ram Parvesh Ram @ Kumar @ Ram Parvesh Kumar Ram @ Pravesh Ram Son Of Lakshmi Paswan Resident Of Village- Sothgaon, Ps- Harlakhi, Distt- Madhubani
3. Dharmendra Kumar Yadav @ Dharmendra Yadav @ Kumar Son Of Chotelal Yadav Resident Of Village- Sothgaon, Ps- Harlakhi, Distt- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gagandeo Yadav
		Mr. Ravi Prakash
		Mr. Rajesh Kumar
For the Opposite Party/s :		Mr. Jharkhandi Upadhyay

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-01-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. Learned counsel for the petitioners seeks permission to withdraw this application with regard to petitioner no. 2 submitting that during pendency of this application the petitioner no. 2 has already been apprehended by the police.

3. Permission is granted.

4. Accordingly, this application with regard to petitioner no. 2 is dismissed as withdrawn.



5. Now, this application is being heard only with regard to petitioners no. 1 and 3.

6. Heard learned counsel for the petitioners and learned A.P.P. for the State.

7. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 379, 307, 506, 504, 34 of the Indian Penal Code.

8. As per the prosecution case, the petitioners along with other co-accused persons are said to have assaulted the informant by means of iron rod and other weapons.

9. It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that no any incriminating article has been recovered from the possession or house of the petitioner. He further submits that the Court below rejected the anticipatory bail of the petitioner on the ground that the injury was found on the vital part of the body but the nature of the injury is not mentioned. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

10. Learned APP for the State opposes prayer for



anticipatory bail.

11. Having regard to the facts and circumstances of the case, let the above named petitioners no. 1 and 3, 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 Harlakhi P.S. Case No.82 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

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