

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77089 of 2024

Arising Out of PS. Case No.-132 Year-2024 Thana- SAKURABAD District- Jehanabad

1. Shailesh Kumar Son of Kameshwar Singh @ Kameshwar Yadav Resident of Village - Chiksaura, Police Station - Shakurabad, District - Jehanabad
2. Upendra Kumar Son of Devcharan Singh @ Devcharan Yadav Resident of Village - Chiksaura, Police Station - Shakurabad, District - Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj, Advocate

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-11-2024 Heard learned counsel for the petitioners and learned

Additional Public Prosecutor for the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable u/s 147, 148, 149, 354, 302, 379, 120B of the IPC.

3. As per allegation, the petitioners along with other co-accused persons have assaulted the informant and her family members including her husband to grab the share of the informant. Her husband died during the treatment.

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 due because both parties are agnates and there is admitted land dispute between them. No such occurrence, in the manner as alleged, has ever



taken place. There is no specific overt act attributed against the petitioners rather the allegations are general and omnibus in nature. Petitioners have clean antecedent.

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

6. Having regard to the facts and circumstances of the case, considering there is no specific allegation against the petitioner no. 1, let the above named petitioner nos. 1, be released on bail, in the event of his 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) 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 Shakurabad P.S. Case No.132 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. Considering the fact that there is specific allegation against petitioner no. 2, I am not inclined to enlarge the petitioner no.2 on anticipatory bail. The prayer for grant of bail on his behalf is hereby rejected.

8. This application is accordingly partly allowed.

(Anjani Kumar Sharan, J)

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