

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76981 of 2023

Arising Out of PS. Case No.-147 Year-2023 Thana- AAJAM NAGAR District- Katihar

1. Shiv Sharan Kewat@ Buggan Kewar S/O Satya Narayan Kewat R/O- Manik Nagar, Arihana, Ps. Azamnagar, Distt. Katihar
2. Amit Kewat S/O Ram Sharan Kewat R/O- Manik Nagar, Arihana, Ps. Azamnagar, Distt. Katihar

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 03-01-2024 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case in connection with Azamnagar (Salmari O.P.) P.S. Case No. 147 of 2023 dated 28.04.2023 registered for the offences punishable u/ss 341, 323, 324, 308, 379, 504 read with section 34 of the Indian Penal Code.

3. As per the prosecution case, when the accused persons were thrashing the maize by the Thrasher machine due to which the maize dust was entering the house which was objected by the informant then all the accused persons started assaulting the informant. On *hulla*, the mother and the father of



the informant came there then the petitioners assaulted them with iron rod causing injury. It is further alleged that the accused persons snatched the golden chain from the neck of the informant's mother.

4. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. There is general and omnibus allegation against the petitioners. It is further submitted that there is a case and counter case between the parties. Learned counsel has further submitted that the injury report of the injured, there is no severe injury on the persons of the injured and the opinion regarding the said injury is kept reserved by the doctor. The co-accused persons have already been granted anticipatory bail by the Coordinate Bench of this court vide order dated 08.08.2023 passed in Cr. Misc. No. 42335 of 2023. The petitioners have no criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case as well as the allegation being general and omnibus against the petitioners, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from



today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned court concerned, Katihar in connection with Azamnagar (Salmari O.P.) P.S. Case No. 147 of 2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

7. This application stands allowed.

(Chandra Prakash Singh, J)

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