

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82895 of 2023

Arising Out of PS. Case No.-202 Year-2023 Thana- JAGDISHPUR District- Bhojpur

1. Ghurul Mishra @ Narayan Tiwari Son of Harendra Tiwari, Resident of Villge - Kotwali Gali No. 14, Jagdishpur, Police Station - Jagdishpur, District- Bhojpur.
2. Suraj Gupta @ Suraj Kumar, Son of Manohar Prasad, Resident of Villge - Kotwali Gali No. 14, Jagdishpur, Police Station - Jagdishpur, District- Bhojpur.
3. Samir Rain @ Md. Samir Alam, Son of Md. Salauddin, Resident of Villge - Kotwali Gali No. 14, Jagdishpur, Police Station - Jagdishpur, District- Bhojpur.
4. Md. Waris @ Mohammad Danish @ Md. Danish, Son of Md. Mumtaz Ali, Resident of Villge - Kotwali Gali No. 14, Jagdishpur, Police Station - Jagdishpur, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar, Adv.
For the Opposite Party/s : Mr. Umeshanand Pandit, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 05-01-2024 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, 504, 506/34 of the Indian Penal Code.

3. As per the F.I.R., the allegation against the petitioners is that they along with four unknown persons have assaulted the informant by means of country made pistol, fighter belt, knife and iron rod due to which the informant received injury on head,



nose and eye.

4. It is submitted by learned counsel for the petitioners that the petitioners are quite innocent and have committed no offence as alleged. 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 submitted that petitioners and informant are running street food business in Jagdishpur market at DM road, there was some hot talk was made between the parties regarding standing their respective stalls. As per the injury report, injuries of the victim are simple in nature. There is inordinate delay of five days in lodging the F.I.R. Petitioners have no criminal antecedent 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, considering the nature of injuries of the victim is simple in nature, 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 Jagdishpur P.S. Case No. 202 of 2023,
subject to the condition as laid down under Section 438 (2) of
the Cr.P.C.

(Anjani Kumar Sharan, J)

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