

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83864 of 2023**

Arising Out of PS. Case No.-142 Year-2022 Thana- GORAUL District- Vaishali

1. Nitesh Kumar Son Of Mishrilal Sah @ Mishree Lal Sah Resident Of Village - Rukmanjari, Ward No.10, Rasulpur Korigonv, P.S. - Goraul, District - Vaishali
2. Mishrilal Sah @ Mishree Lal Sah Son Of Late Nandlal Sah Resident Of Village - Rukmanjari, Ward No.10, Rasulpur Korigonv, P.S. - Goraul, District - Vaishali
3. Dharmendra Kumar Son Of Mishrilal Sah @ Mishree Lal Sah Resident Of Village - Rukmanjari, Ward No.10, Rasulpur Korigonv, P.S. - Goraul, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yugal Kishore
For the Opposite Party/s : Mr. Bhanu Pratap Singh

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 09-01-2024 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, 324, 147, 149, 354, 302, 504 of the Indian Penal Code.

3. As per the prosecution case, the petitioner along with other co-accused persons are said to have assaulted the deceased by means of various weapons.

4. Learned counsel for the petitioners submits that petitioners are innocent and 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



there is no specific overt act against the petitioners. He further submits that there is specific allegation against co-accused, Sanjay Sah, who hit on the head of the deceased by means of iron rod and charge-sheet has been submitted against co-accused, Sanjay Sah, under Section 302 and other Sections of the I.P.C.. He also submits that the petitioners are only members of the mob. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case, 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 Goraul (Garoul) P.S. Case No.142 of 2022, 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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