

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83371 of 2023

Arising Out of PS. Case No.-172 Year-2023 Thana- MANIHARI District- Katihar

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1. NIRALAL SINGH SON OF LATE NARAYAN SINGH R/O VILLAGE-BAGHMARA, P.S.- MANIHARI, DISTRICT- KATIHAR
 2. VIJAY SINGH SON OF LATE SHYAM SINGH R/O VILLAGE-BAGHMARA, P.S.- MANIHARI, DISTRICT- KATIHAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Ratnakar Ambastha
For the Opposite Party/s :	Mr. Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 09-01-2024 Heard the parties.

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

3. The allegation against the petitioners is that they along with other co-accused persons assaulted the informant and his family members by the means of deadly weapons and also took Rs. 10,000/- from informant.

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. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather



general and omnibus in nature. Though there is specific allegation against the petitioner no.1 to assault the informant by means of lathi but the nature of injury is simple. He further submits that the specific allegation is against the co-accused Binit Kumar Singh to assault the injured person by means of iron rod due to which he sustained grievous injury. Petitioners have no criminal antecedent.

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

6. Having regard to the facts and circumstances of the case as there is no specific overt act against the petitioners, 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 court below where the case is pending/Successor Court in connection with Manihari P.S. Case No.172 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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