

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84324 of 2023

Arising Out of PS. Case No.-243 Year-2021 Thana- UJIYARPUR District- Samastipur

1. Chandan Kumar Son of Rajendra Sah R/o vill - Bhagwanpur Kamla, P.S. - Ujarpur, Distt. - Samastipur
2. Manish Kumar Son of Suresh Prasad Singh @ Suresh Mahto R/o vill - Pachpaika, P.S. - Ujarpur, Distt. - Samastipur
3. Deepak Kumar Son of Suresh Prasad Singh @ Suresh Mahto R/o vill - Pachpaika, P.S. - Ujarpur, Distt. - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Narain Sinha, Adv.

For the Opposite Party/s : Mr. Rina Sinha, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-01-2024 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, 504, 506/34 of the Indian Penal Code and u/s 27 of the Arms Act.

3. Allegation against the petitioners is that they along with two other co-accused have abused and assaulted the informant. Petitioner no. 3 along with one, Rabindra Kumar, with intention to threaten the informant has fired 4 round of bullet from pistol.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. No such occurrence as alleged ever took place. They have been falsely implicated in this case. The allegation of assault and abuse against the petitioners is not specific rather general and omnibus in nature. There is case and counter-case between the parties. Similarly



situated co-accused, namely, Rabindra Kumar and Jwala Kumar have been enlarged on bail by a co-ordinate bench of this court vide order dated 12.07.2022 and 01.08.2022 passed in Cr. Misc. No. 60117 of 2021 and 70573 of 2021 respectively. 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 fact that similarly situated co-accused have been enlarged on bail, 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) 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 Ujiarpur P.S. Case No. 243 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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