

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2630 of 2024

Arising Out of PS. Case No.-35 Year-2023 Thana- GOPALPUR District- Gopalganj

1. Ashish Kushwaha @ Ashish Kumar Son of Late Ramnath Bhagat, Resident of Village-Rojapur Barhara, P.S.-Gopalpur, District-Gopalganj.
2. Dhananjay Kushwaha @ Dhananjay Bhagat, Son of Late Ramnath Bhagat, Resident of Village-Rojapur Barhara, P.S.-Gopalpur, District-Gopalganj.
3. Amresh Kushwaha @ Amresh Kumar, Son of Late Ramnath Bhagat, Resident of Village-Rojapur Barhara, P.S.-Gopalpur, District-Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vyas Mishra, Advocate
For the Opposite Party/s : Mr. Rabindra Kumar , APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 31-01-2024 Heard learned counsel for the petitioners and

the State.

2. Petitioners apprehend their arrest in a case registered for the offence punishable under sections 448 , 341 , 323 , 324, 307, 504 and 34 of the Indian Penal Code.

3. The prosecution case, in brief, is that on March 4, 2023, at about 4:00 p.m., when the informant was returning to her house, in the meantime she saw all the accused persons, including these petitioners, entering



her house with the intention of theft. When she opposed them, all the accused persons assaulted her, and one co-accused, namely Sugriv Kushwaha, armed with a knife, attacked the informant on her head, neck, hand, and back, as a result of which she sustained various injuries.

4. It is submitted on behalf of the petitioners that both the parties are pattidars and due to long standing land dispute between them, these petitioners have falsely been implicated in this case. Specific accusation of assault with knife is alleged against other co-accused person namely Sugriv Kushwaha . So far as these petitioners are concerned, there is general and omnibus allegation is alleged against them. Petitioners claim clean antecedent.

5. Learned counsel for the State oppose the bail petition.

6. Considering the general and omnibus allegation against these petitioners and other circumstances of the case, in the event of arrest or surrender within six weeks from today, let the



petitioners, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate 1st Gopalganj in connection with Gopalpur P.S. Case No. 35 of 2023 , subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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