

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78421 of 2024

Arising Out of PS. Case No.-439 Year-2022 Thana- UCHKAGAON District- Gopalganj

1. Nikesh Kumar S/o Kalindar Sah R/o Village- Gurmha, Gurumha, PS-Uchakagaon, District- Gopalganj
2. Kalindar Sah S/o Late Satan Sah R/o Village- Gurmha, Gurumha, PS-Uchakagaon, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Indrajeet Bhushan, Adv.
For the Opposite Party/s : Mr. Dilip Kumar No.1, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-01-2025 Heard Mr. Indrajeet Bhushan, learned counsel for the petitioners and Mr. Dilip Kumar No.1, learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 149, 323, 324, 354, 307, 504 of the Indian Penal Code.

3. As per the prosecution case, the petitioners along with other accused persons came at the house of the informant and started abusing her. On objection, they assaulted the informant brutally due to which she sustained injuries.

4. It is submitted by learned counsel for the petitioners that the petitioners are quite innocent and have committed no



offence. No such occurrence as alleged has ever taken place. Petitioners have falsely been implicated in this case due to ulterior motive. The allegation levelled against the petitioners is totally false and based on concocted facts. Nothing specific has been attributed against them. Both the parties are agnates and there is admitted land dispute between them. Both sides have filed cases against each other. Similarly situated co-accused have been enlarged on bail by this court vide order dated 06.07.2023 passed in Cr. Misc. No. 24120 of 2023. Learned counsel further submits that petitioners have no criminal antecedent as mentioned in para-3 of this application.

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

6. Having regard to the facts and circumstances of the case, since the similarly situated co-accused have been granted bail and 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 lower Court where the case is pending/successor Court in connection with Uchakagaon P.S. Case No.439 of 2022, subject



to the condition as laid down under Section 438 (2) of the
Cr.P.C.

(Anjani Kumar Sharan, J)

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