

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82123 of 2024

Arising Out of PS. Case No.-260 Year-2024 Thana- PHULWARIYA District- Gopalganj

1. Ujjwal Kumar @ Ujwal Kumar @ Ujwal Singh, Son of Akhilesh Singh @ Akhilesh Kumar Singh
2. Rakesh Kumar Son of Madan Chaudhur
Both are Resident of Village- Maripur, P.S.- Phulwariya, Distt.- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate
For the Opposite Party/s : Mr. Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 29-01-2025 Heard learned counsel for the petitioners and Mr. Zainul Abedin, learned APP for the State.

2. The petitioners have prayed for bail in a case registered for the offence punishable under Section 309(5) of the Bhartiya Nyaya Sanhita (B.N.S.), 2023.

3. The case of the prosecution is that when the informant reached Maripur bridge, three persons started abusing him and one of the person wearing black t-shirt came near him and the informant stopped and got down. The rest two persons said to the person wearing black T-shirt to ask some question to the informant. The person wearing black T-shirt took out knife from his pocket and put on the informant's stomach. Meanwhile, police arrived and on seeing the police, the person wearing the black T-shirt threw knife and ran away. The rest two persons caught by the



police and the knife was seized. Police arrested both the persons.

4. Learned counsel appearing on behalf of the petitioners has submitted that from perusal of the FIR itself it is clear that there is no allegation of assault, rather the petitioners were only threatening. Petitioner No.1 is having criminal antecedent of seven cases and petitioner No.2 is a man of clean antecedent. They are in custody since 14.09.2024.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each of them with two sureties of the like amount each to the satisfaction of the learned court of A.C.J.M.-XVI, Gopalganj in connection with Phulwariya P.S. Case No.260 of 2024.

7. Accordingly, the present bail application stands allowed.

(Ashok Kumar Pandey, J)

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