

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36526 of 2019

Arising Out of PS. Case No.-104 Year-2019 Thana- PARWALPUR District- Nalanda

1. Bittu Kumar aged about 26 years (Male)
2. Guddu Kumar aged about 35 years (Male)
3. Chhotu Kumar aged about 34 years (Male)
All sons of Naval Kishor Prasad @ Naval Prasad.
All resident of village – Pilich, P.S.- Parwalpur, Distt - Nalanda.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh

For the Opposite Party/s : Ms.Anita Kumari

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 12-06-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are seeking anticipatory bail in connection with Parwalpur P.S. Case No. 104/2019 registered under Sections 341, 323, 379, 354, 504, 506/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that it is a case of false implication of the petitioners who are also students and are under age. It is pointed out that the petitioners have been implicated being student because earlier father of the petitioners had lodged one Parwalpur P.S. Case No. 103/2019 under Sections 147, 148, 149, 341, 323, 307, 504 of the Indian Penal Code against the father and brother of the informant. The



present case, it is submitted, has been lodged against the petitioners just to retaliate and save skin from the case lodged by the father of the petitioners.

Learned A.P.P. representing the State has opposed the prayer for anticipatory bail of the petitioners.

Considering the facts and circumstances of the case whereunder the petitioners are said to be students having no criminal antecedent and prior to the present case father of the petitioners seems to have lodged one case against father and brother of the informant, in the event of their arrest/surrender before the court below within a period of four weeks, let the above-named petitioners be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Hilsa, Nalanda, in connection with Parwalpur P.S. Case No. 104 of 2019, subject to condition that one of the bailors of the petitioners will be a family member having no criminal antecedent and in case it is found in future that the petitioners are involving in causing any harassment to the informant, it will be open for the informant to file an application for cancellation of the bail. This will be subject to condition prescribed under Section 438(2) of the



Code of Criminal Procedure.

This application is disposed of accordingly.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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