

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37736 of 2019

Arising Out of PS. Case No.-48 Year-2019 Thana- BIHARSHARIF District- Nalanda

1. Ajit Kumar @ Ajit Gope, Son of Shiv Kumar Resident of Village - Kashochak, Nakatpura, P.S.- Bihar, Distt - Nalanda.
2. Viru Kumar Son of Gopal Prasad Resident of Village - Hajipur, P.S.- Bihar, Distt - Nalanda.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Ajeet Kumar

For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 06-09-2019 Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

Petitioners apprehend their arrest in connection with Bihar P.S. Case No.48 of 2019 for the offence punishable under Sections 341, 323, 379, 307, 504/34 of the Indian Penal Code.

The allegation against the petitioners is that on the date of occurrence, while informant was going to attend tuition on his bicycle, four persons including the petitioners surrounded him and started assaulting him. It has further been alleged that petitioner No.1 assaulted the informant by means of iron rod on his head and petitioner No.2 snatched golden chain worth Rs.5000/-.



Learned counsel appearing for the petitioners submits that petitioners have falsely been implicated in this case inasmuch as both the parties are co-villagers and side of the petitioners as well as informant were student and studying in the same coaching. Learned counsel further submits that there was dispute between the students on trivial issue and due to which the present FIR has been lodged. Learned counsel referred Annexure-2 and 3 which is injuries report of Karan Kumar, i.e., the informant and Suraj Kumar, and submits that from perusal of the same, it is evident that injury caused to the informant and another are simple in nature.

After having heard learned counsel for the petitioners as well as learned counsel appearing on behalf of the State and taking into consideration the fact that both the parties are students and the injuries caused to the informant and another are simple in nature, as such, I am inclined to grant anticipatory bail to all the petitioners.

Accordingly, all the petitioners, above named, are directed to surrender before the learned Court below within a period of four weeks from today and in the event of surrender by them, they shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand)



each with two sureties of the like amount each to the satisfaction
of learned C.J.M., Nalanda at Biharsharif, subject to the
condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

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