

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71117 of 2019

Arising Out of PS. Case No.-385 Year-2019 Thana- HILSA District- Nalanda

1. Rahul Kumar S/O Kallu Prasad Resident of Village- Puna, P.S.- Hilsa, District- Nalanda.
2. Sanjit Kumar S/O Nar Singh Prasad Resident of Village- Puna, P.S.- Hilsa, District- Nalanda.
3. Dipak Kumar S/o Sharwan Kumar Resident of Village- Puna, P.S.- Hilsa, District- Nalanda.
4. Sharwan Kumar S/O Binda Prasad Resident of Village- Puna, P.S.- Hilsa, District- Nalanda.
5. Suraj Kumar S/O Rajju Prasad Resident of Village- Puna, P.S.- Hilsa, District- Nalanda.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ashok Kumar, Advocate
For the Opposite Party/s : Mr.Ashraf Ansari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 11-12-2019 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Petitioners in the present case are seeking anticipatory bail in connection with Hilsa P.S. Case No. 385 of 2019 registered for the offences punishable under Sections 341, 323, 447, 307, 504, 506, 34 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioner submits that the petitioners are innocent and have falsely been implicated in the



present case. It is further submitted that there are general and omnibus allegation against the petitioners and no any specific allegation against the petitioners. The allegation of firing is against Rohit Kumar @ Rishi Kumar who is not the petitioner before this Court

Learned A.P.P. for the State has opposed the prayer for bail.

Considering the facts and circumstances of this case, wherein it is the submission of learned counsel for the petitioners that so far as these petitioners are concerned, there are general and omnibus allegations against them, the allegation of firing is against Rohit Kumar @ Rishi Kumar who is not the petitioner before this Court and learned A.P.P. for the State has accepted that so far as these petitioners are concerned there are only general and omnibus allegations against them as also they have no criminal history, let the petitioners above named in the event of their arrest or surrender within a period of four weeks from today be enlarged on bail on furnishing bail bonds of Rs. 15,000/- (fifteen thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. I, Hilsa in connection with Hilsa P.S. Case No. 385 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. i.e.



(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

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