

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.5953 of 2020**

Arising Out of PS. Case No.-951 Year-2019 Thana- BIHTA District- Patna

1. RANJEET KUMAR S/o Late Ram Nath Rai R/o village- Bhagwatipur, P.S.- Bihta, District- Patna
2. Dhanjeet Kumar S/o Late Ram Nath Rai R/o village- Bhagwatipur, P.S.- Bihta, District- Patna
3. Nirala Kumar @ Nirala S/o Ram Nath Rai R/o village- Bhagwatipur, P.S.- Bihta, District- Patna
4. Chiraiya @ Chiriyia S/o Late Shyam Nath Rai R/o village- Bhagwatipur, P.S.- Bihta, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Patanjali Rishi, Adv.
For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

4 31-08-2020 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners in the present case are seeking pre-arrest bail in connection with Bihta P.S. Case No.951 of 2019 registered for the offences punishable under Sections 341, 323, 324, 307, 379, 504 and 506/34 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioners submits that in the First Information Report it is alleged that the petitioner nos.1 and 2 assaulted Aman Kumar by farsa and Gadasa on head



repeatedly and Roshan was assaulted by petitioner nos.3 and 4 along with more than five other persons. So far as allegations of assault upon the informant Manish is concerned, the same have been made against co-accused Pintu Kumar and Rajesh Kumar who are not before this Court.

Learned counsel submits that these petitioners have no criminal antecedent and the injury report would show that Roshan has only one simple injury. Aman has also got one simple injury whereas Manish who had alleged that he had also received assault has been found normal. In this connection, the materials present in paragraph '64', '71' and '119' of the case diary have been referred to. It is thus his submission that the allegations against these petitioners are not getting support from the injury reports.

Learned APP for the State has though opposed the prayer for anticipatory bail of the petitioners, but considering the submissions and the materials on the record showing that allegations are not getting support from the injury reports as also that the petitioners have no criminal antecedent, let the petitioners above named in the event of their arrest or surrender within a period of four weeks from today in connection with Bihta P.S. Case No.951/2019 be released on bail on furnishing



bail bonds of Rs. 25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1st, Danapur, Patna, subject to the conditions 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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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

