

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22635 of 2020

Arising Out of PS. Case No.-603 Year-2019 Thana- MUFFASIL District- West Champaran

1. BRIJ KISHORE PRASAD Son of Late Narayan Prasad Resident of Village-Hardiya, Purbari Tola, P.S.-Bettiah Muffasil, District-West Champaran.
2. Pintu Prasad @ Pintu Kumar Son of Sri Chokat Prasad Resident of Village-Hardiya, Purbari Tola, P.S.-Bettiah Muffasil, District-West Champaran.
3. Rambabu Prasad @ Rambabu Kumar Son of Sri Chokat Prasad Resident of Village-Hardiya, Purbari Tola, P.S.-Bettiah Muffasil, District-West Champaran.
4. Shyambabu Prasad @ Shyambabu Kumar Son of Sri Chokat Prasad Resident of Village-Hardiya, Purbari Tola, P.S.-Bettiah Muffasil, District-West Champaran.
5. Krishna Prasad Son of Sri Chokat Prasad Resident of Village-Hardiya, Purbari Tola, P.S.-Bettiah Muffasil, District-West Champaran.
6. Nand Kishore Prasad Son of Late Narayan Prasad Resident of Village-Hardiya, Purbari Tola, P.S.-Bettiah Muffasil, District-West Champaran.
7. Yogendra Prasad Son of Late Narayan Prasad Resident of Village-Hardiya, Purbari Tola, P.S.-Bettiah Muffasil, District-West Champaran.
8. Ramchhatri Prasad @ Ramchhatri Kumar Son of Sri Yogendra Prasad Resident of Village-Hardiya, Purbari Tola, P.S.-Bettiah Muffasil, District-West Champaran.
9. Gobind Prasad @ Gobind Kumar Son of Sri Nand Kishore Prasad Resident of Village-Hardiya, Purbari Tola, P.S.-Bettiah Muffasil, District-West Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma
For the Opposite Party/s : Mr. A.G.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 28-09-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioners and Shri Jai



Narayan Thakur, learned A.P.P. for the State.

At the outset, the learned counsel for the petitioners seeks to withdraw the present petition qua the petitioner no. 2.

Accordingly, the present petition qua the petitioner no. 2 stands dismissed as withdrawn, however, with liberty to the petitioner no. 2 to surrender before the learned court below within a period of four weeks from today and seek regular bail.

The petitioners apprehend their arrest in connection with Bettiah Muffasil P.S. Case No. 603 of 2019 for the offence registered under Sections 147, 148, 149, 341, 323, 324, 307, 380, 504 and 506 of the Indian Penal Code.

The case of the prosecution in brief is that on the alleged date and time of occurrence, while the informant was going to bring *Kirana* materials from the market and had reached near the place of occurrence, all the accused persons including the petitioners herein had surrounded him, assaulted him and snatched a sum of Rs. 50,000/- from his pocket. The informant has levelled specific allegation against the petitioner no. 2 of having given a *farsa* blow on the head of the informant resulting in him sustaining injuries. The other accused persons are also alleged to have assaulted the informant with lathi and danda.

The learned counsel for the petitioners has submitted that the petitioners are innocent and they have been falsely implicated



in the present case.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioners and taking into account the fact that a general and omnibus allegation has been levelled as far as the petitioner nos. 1 & 3 to 9 are concerned, I deem it fit and proper to admit the petitioner nos. 1 & 3 to 9 to the privilege of anticipatory bail.

Accordingly, the petitioner nos. 1 & 3 to 9, above named, are directed to be released on anticipatory bail in the event of their arrest/surrender before the court below within a period of four weeks from today, on 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., West Champaran, Bettiah in connection with Beettiah Muffasil P.S. Case No. 603 of 2019 subject to the conditions as stipulated under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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