

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86913 of 2019

Arising Out of PS. Case No.-448 Year-2019 Thana- MUFFASIL District- West Champaran

1. RUPESH SHUKLA @ BHOLI SHUKLA Son of Babu Saheb Shukla Resident of Village - Karan Meya, P.S.- Bettiah Mufassil, Distt.- West Champaran.
2. Babu Saheb Shukla Son of Dasrath Shukla Resident of Village - Karan Meya, P.S.- Bettiah Mufassil, Distt.- West Champaran.
3. Shashi Ranjan Shukla Son of Nathuni Shukla Resident of Village - Karan Meya, P.S.- Bettiah Mufassil, Distt.- West Champaran.
4. Deepak Shukla Son of Nathun Shukla Resident of Village - Karan Meya, P.S.- Bettiah Mufassil, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akhilesh Kumar

For the Opposite Party/s : Mr.Bal Mukund Prasad Sinha

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 24-01-2020 At the outset, the learned Senior counsel for the petitioner seeks to withdraw the present petition qua the petitioner nos. 2 and 4.

Accordingly, the present petition qua the petitioner nos. 2 and 4 stands dismissed as not pressed.

Heard the learned counsel for the petitioners and the learned APP for the State.

This is an application for grant of anticipatory bail in connection with Bettiah Muffasil P.S. Case No. 448 of 2019, registered for the offence punishable under Sections 342, 323, 324, 307, 504 and 506/34 of the Indian Penal Code.



The allegation is regarding the accused persons having assaulted the brother of the informant resulting in him sustaining grievous injuries.

The learned Senior Counsel for the petitioners has submitted that as far as the petitioner no. 1 is concerned, he is not alleged to have assaulted the brother of the informant, however, there is a general and omnibus allegation of assault against the other accused persons. It is further submitted that as far as the petitioner nos. 1 and 3 are concerned, they are having a clean antecedent.

Per contra, the learned counsel for the informant has submitted that the main culprits are the petitioner nos. 2 and 4 and in any view of the matter, the present case is not a fit case for grant of anticipatory bail since the brother of the informant has been grievously injured.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioners, coupled with the fact that the petitioner nos. 1 and 3 are having a clean antecedent and a general and omnibus allegation has been levelled against them as also considering the fact that the petitioner nos. 2 and 4 have already decided to surrender before the court below, I deem it fit and proper to



admit the petitioners to the privilege of anticipatory bail.

Accordingly, the petitioner no. 1 and 3 are directed to be enlarged on anticipatory bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, West Champaran, Bettiah in connection with Bettiah Muffasil P.S. Case No. 448 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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