

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27692 of 2021

Arising Out of PS. Case No.-158 Year-2020 Thana- TELHARA District- Nalanda

1. CHHOTE KUMAR @ ROKKY KUMAR Son of Rameshwar Yadav Resident of Village- Mansinghpur, P.S.- Telhara, District- Nalanda.
2. Vikash Sharma @ Vikash @ Nitish Kumar Son of Gajji Yadav Resident of Village- Mansinghpur, Police Station- Telhara, District- Nalanda.
3. Anand @ Garaiya Son of Late Ram Prit Choudhary Resident of Village- Kelabigha, Police Station- Telhara, District- Nalanda.
4. Bholwa @ Bhola Kumar Son of Late Arjun Prasad Resident of Village- Arhit, Police Station- Okari, District- Jehanabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate
For the Opposite Party/s : Mr. A.P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 06-12-2021 Heard learned counsel for the parties.

Let the defect(s), if any, be removed within four weeks after complete start of the physical Court.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 307 and 504/34 of the Indian Penal Code and Section 27 of the Arms Act.

Petitioner No. 1 Chhote Kumar @ Rokky Kumar and Petitioner No. 4 Bholwa @ Bhola Kumar allegedly caused injury at the head.

Since Petitioner No. 1 Chhote Kumar @ Rokky



Kumar and Petitioner No. 4 Bholwa @ Bhola Kumar had knowledge that their act might cause death, I am not inclined to enlarge them on anticipatory bail. Accordingly, their prayer for anticipatory bail is refused.

Petitioner No. 1 Chhote Kumar @ Rokky Kumar and Petitioner No. 4 Bholwa @ Bhola Kumar are directed to surrender within a period of two weeks and pray for regular bail.

Let Petitioner No. 2 Vikash Sharma @ Vikash @ Nitish Kumar and Petitioner No. 3 Anand @ Garaiya, who are carrying general and omnibus allegation, in the event of their arrest or surrender before the learned Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs.20,000/- (rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Telhara Police Station Case No. 158 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as subject to the following conditions:-

(a) The petitioner no. 2 and 3 shall fully cooperate with the investigation/trial of the case, failing which the learned court below shall be at liberty to cancel the bail bond of the



petitioner no. 2 and 3.

(b) Both the bailors shall be resident of territorial jurisdiction of the learned court below.

(c) The petitioner no. 2 and 3 shall not leave the country without permission of the learned trial court.

(Birendra Kumar, J)

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