

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16460 of 2020

Arising Out of PS. Case No.-402 Year-2019 Thana- NAUBATPUR District- Patna

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1. JITENDRA KUMAR Son of Damru Yadav Resident of Village- Chak Chachaul, P.S.- Naubatpur, District- Patna.
 2. Sonu Kumar @ Sonu Yadav Son of Prabhu Rai @ Prabhu Yadav Resident of Village- Chak Chachaul, P.S.- Naubatpur, District- Patna.
 3. Babloo Kumar @ Babloo Yadav Son of Prabhu Rai @ Prabhu Yadav Resident of Village- Chak Chachaul, P.S.- Naubatpur, District- Patna.
 4. Damru Yadav Son of Bhajju Yadav Resident of Village- Chak Chachaul, P.S.- Naubatpur, District- Patna.
 5. Prabhu Yadav Son of Bhajju Yadav Resident of Village- Chak Chachaul, P.S.- Naubatpur, District- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shakti Suman Kumar
For the Opposite Party/s : Mr.Syed Mojibur Rahman

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

4 02-12-2021 Heard both sides.

Petitioners apprehend their arrest in Naubatpur P.S.

Case No.402 of 2019 registered under Sections 341, 323, 326,
34 and 379 of the Indian Penal Code.

Learned counsel for the petitioners submits that the
petitioners have committed no offence and they have falsely
been implicated in this case. It is submitted that there is general
and omnibus allegation and there is no injury report on record.

Learned A.P.P. appearing on behalf of the State opposed the prayer for bail by contending that there is a direct allegation against petitioner no.1, namely, Jitendra Kumar, who is alleged to have inflicted khanti blow on the waist of grandson of the informant. Petitioner no.1 is also alleged to have assaulted Vikash Kumar.

Having considered the facts aforesaid, this Court is not inclined to enlarge petitioner no.1, namely, Jitendra Kumar on anticipatory bail. Accordingly, the prayer for bail of petitioner no.1 is rejected.

So far the case of petitioner nos.2, 3, 4 and 5 is concerned, there is no specific allegation of assault against them.

Having considered the above facts and circumstances of the case, petitioner nos.2, 3, 4 and 5 above named, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bonds of Rs.10,000/-(rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. II, Danapur in connection with Naubatpur P.S. Case No.402 of 2019, subject to the

conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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