

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4554 of 2021

Arising Out of PS. Case No.-176 Year-2020 Thana- GOPALPUR District- Patna

1. AVINASH KUMAR Son of Sammat Singh Resident of Village - Chak Bairiya, P.s.- Gopalpur, Distt.- Patna.
2. ADITYA KUMAR SON OF SAMMAT SINGH Resident of Village - Chak Bairiya, P.s.- Gopalpur, Distt.- Patna.
3. ANIL KUMAR SON OF LATE HARSHDEO SINGH Resident of Village - Chak Bairiya, P.s.- Gopalpur, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shankar Kumar, Adv.

For the Opposite Party/s : Mr. Nand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 08-10-2021 This matter has been taken up for hearing online
because of COVID-19 pandemic restrictions.

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

Learned counsel for the petitioners is expected to
honour his undertaking to remove the defects as pointed out by
the office when called upon to do so by the office.

The instant application for anticipatory bail has been
filed by the petitioners apprehending their arrest in connection
with Gopalpur P.S. Case no. 176 of 2020 instituted for the
offence under Sections 341, 323, 324 and 326/34 of the Indian
Penal Code.

As per allegation in the FIR, all the three petitioners
armed with sword, axe and pistol came to the house of the



informant and started to assault him. After hearing the hulla raised by him, his brother came there for rescue but the petitioners also assaulted them resulting into injuries to the informant and his brother.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has got no criminal antecedent. The injury report available on record shows that all injuries sustained by the injured persons are simple in nature and it is a fit case for grant the anticipatory bail.

Learned APP appearing for the State has opposed the prayer of bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Gopalpur P.S. Case no. 176 of 2020, they will be enlarged on bail on furnishing bail bond of Rs. 5,000/- (Rupees five thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IXth, Patna, subject to the conditions as laid



down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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