

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8179 of 2022

Arising Out of PS. Case No.-188 Year-2021 Thana- BEN P.S. District- Nalanda

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1. PRAVIN KUMAR SON OF RAMESH SINGH
 2. BIMLESH KUMAR SON OF SAKAL SINGH
 3. RAJIV KUMAR SON OF SUKHDEB SINGH
- Petitioner/s
- Versus
- THE STATE OF BIHAR
- Opposite Party/s
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Appearance :

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-08-2022 Heard learned counsel for the petitioners, the informant and learned A.P.P. for the State.

Let the defect(s), if any, be removed within a period of four weeks.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 307, 504, 379 and 506/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that petitioner no. 1 is a person with clean antecedent and petitioner no. 2 and 3 have antecedent of one case.

The informant alleges that on 19.11.2021 at 08:00 a.m. when he was returning home after purchasing medicine



reached near the Bajrangbali Temple of his village, the petitioners started abusing him and on protest Rohit Singh gave spade blow on his head causing bleeding injury and when the informant tried to escape Rohit Singh again caught him and assaulted him with rod and Khanti and on raising alarm when his family members came to save him the accused persons also assaulted them. It is alleged that Bimlesh Singh assaulted the brother of the informant Anil Singh with Khanti causing swelling on his hand.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case and from perusal of the allegation as alleged in the FIR, it would manifest that no reason or motive for the occurrence has been alleged. He further submits that no occurrence takes place without any motive or reason and from the side of the petitioners Ben P.S. Case No. 190 of 2021 was instituted in which it was alleged that sister of Rohit Singh was to get married and, as such, female members of the family had gone to the Bajrangbali Temple of the village where the informant of the present case in a drunken condition was misbehaving on account of which the present occurrence took place. He, thus, submits that this, perhaps, explains that as to why in the present



FIR no motive or reason has been alleged for the occurrence. He next submits that the allegations against the petitioners are general and omnibus and the police after investigation submitted final form.

Learned A.P.P. for the State and the informant opposed the prayer for anticipatory bail of the petitioners but are not in a position to rebut the submission of the learned counsel for the petitioners that the police after investigation submitted final form in favour of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Ben P.S. Case No. 188 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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