

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11065 of 2022

Arising Out of PS. Case No.-54 Year-2021 Thana- NAUBATPUR District- Patna

1. NAVEEN KUMAR Son of Kamal Kishore Sharma Resident of Village- Gopalpur, P.S.- Naubatpur, District- Patna.
2. Vipul Kumar Son of Fekan Singh @ Naveen Kumar Resident of Village- Gopalpur, P.S.- Naubatpur, District- Patna.
3. Rahul Ranjan Son of Kamal Kishore Sharma Resident of Village- Gopalpur, P.S.- Naubatpur, District- Patna.
4. Amit Kumar Son of Late Kamal Deo Sharma Resident of Village- Gopalpur, P.S.- Naubatpur, District- Patna.
5. Ranjeet Kumar Son of Late Kamal Deo Sharma Resident of Village- Gopalpur, P.S.- Naubatpur, District- Patna.
6. Lav Kush Sharma Son of Kapil Muni Sharma Resident of Village- Gopalpur, P.S.- Naubatpur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 06-09-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Learned counsel for the petitioners seeks permission
to withdraw the present anticipatory bail application with
respect to petitioner nos. 1, 3 and 4, who were arrested during
pendency of the anticipatory bail application.

Permission is accorded.

The petitioners apprehend their arrest in a case



registered for the offences punishable under Sections 341, 323, 324, 307, 380, 384, 452, 354, 120(B), 363 and 366 of the Indian Penal Code.

Learned counsel for the petitioners submits that petitioner nos. 2 and 5 have antecedent of one case and petitioner no. 6 is a person with clean antecedent.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case and draws the attention of the Court to the complaint petition to submit that the date of occurrence is 02.03.2020, the complaint was filed on 24.11.2020 and thereafter the FIR came to be instituted on 22.01.2021, it is thus submitted that admittedly from the date of occurrence, the complaint case came to be instituted eight months after the date of occurrence which amply demonstrates that there was undue and inordinate delay in instituting the complaint case from which the present FIR arises, it is next submitted that since there was an inordinate delay in instituting the complaint by the complainant with respect to the occurrence in question that amply demonstrates that the accused were implicated by way of afterthought.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.



Considering the submissions made by the learned counsel for the petitioners, the petitioner nos. 2, 5 and 6, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 2,000/- (Rupees Two Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Naubatpur P.S. Case No. 54 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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