

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27772 of 2022

Arising Out of PS. Case No.-124 Year-2020 Thana- CHHATAPUR District- Supaul

1. Arvind Kumar Biraji @ Arvind Viraji @ Arvind Kumar, S/O Shayam Dev Biraji R/O Village- Ward No. 05, Suryapur, P.S.- Chhatapur, District- Supaul
2. Dhananjay Kumar @ Dharanjay Viraji @ Bachhu Viraji, S/O Kapildev Biraji R/O Village- Ward No. 05, Suryapur, P.S.- Chhatapur, District- Supaul
3. Ranjit Kumar Kushiyait @ Ranjit Kushiyait @ Ranjit Kumar, S/O Ugranand Kusiyaait R/O Village- Tilathi, P.S.- Chhatapur, District- Supaul, State- Bihar

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kuldeep Kumar

For the Opposite Party/s : Ms. Nirmala Kumari

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 14-11-2022 The learned counsel for the petitioners seeks permission to withdraw the present anticipatory bail application with respect to petitioner no.2.

Permission is accorded.

Accordingly, instant petition is dismissed as withdrawn with respect to petitioner no.2.

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

The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307, 379, 504, 506 and 34 of the Indian Penal



Code, but cognizance has been taken under Sections 341, 323, 308, 504, 506 and 34 of the I.P.C.

The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and they are in between 21-22 years of age and the informant alleges that his son (Binod Viraji) along with Bishun Saha were going to buy buffalo and Binod was carrying Rs.70,000/-. It is next alleged that they were intercepted by five motorcycle borne criminals, who tried to snatch the cash. On protest, Arvind Viraji and Bachhu Viraji assaulted by dabia causing injury on head of his son. Thereafter, Ranjit assaulted by hammer causing injury on knee. Further, Arvind and Bachhu snatched Rs.70,000/-.

The learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case. It is next submitted that from the side of the petitioners, Chhatapur P. S. Case No.140 of 2020 was instituted against the side of the informant and others. It is also submitted that from perusal of the allegation of Chhatapur P. S. Case No.140 of 2020, it would manifest that there is land dispute between the parties. It is next submitted that even the injuries suffered by the injured is simple in nature as would be evident from Annexure-2 to the anticipatory bail application. It is further submitted that



petitioners are young boys and in the event, if they are sent to jail, their entire career would be jeopardized and chances are bright that they will come in contact with hardened criminals, more so, the blow is not alleged to have been repeated.

Learned A.P.P. opposes the bail application.

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, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten 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 Chhatapur P. S. Case No.124 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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