

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31371 of 2022

Arising Out of PS. Case No.-23 Year-2022 Thana- SURYAGARHA District- Lakhisarai

1. KUMUD RANJAN @ KUMUD RANJAN KUMAR S/o Satyanand Nirala Resident of Village- Khemtarni Asthan, P.S.- Suryagarha, District- Lakhisarai.
2. Abhimanyu Kumar S/o Satyanand Nirala Resident of Village- Khemtarni Asthan, P.S.- Suryagarha, District- Lakhisarai.
3. Ayush Kumar @ Ranjan Kumar S/o Madho Yadav Resident of Village- Khemtarni Asthan, P.S.- Suryagarha, District- Lakhisarai.
4. Ranjeev Kumar S/o Madho Yadav Resident of Village- Khemtarni Asthan, P.S.- Suryagarha, District- Lakhisarai.
5. Sanjeev Suman @ Sanjeev Kumar Suman S/o Madho Yadav Resident of Village- Khemtarni Asthan, P.S.- Suryagarha, District- Lakhisarai.
6. Madho Yadav S/o Kaleshwar Yadav Resident of Village- Khemtarni Asthan, P.S.- Suryagarha, District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Alok Ranjan, Advocate
For the Opposite Party/s	:	Mr. Uday Pratap Singh, A.P.P.
	:	Mr. Mayank Bilochan, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-11-2022 Heard learned senior counsel for the petitioners and learned A.P.P. for the State and learned counsel for the informant.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 325, 307, 427, 354, 504, 506 and 27 of the Arms Act.



The informant alleges that his wife who is Mukhiya had gone for flag hoisting and after hoisting of flag they were sitting in the office when twenty accused persons variously armed including the petitioners came and started assaulting the informant, further, Rajiv said that he will not permit flag hoisting, thereafter, Nilesh pulled the informant and Nityanand gave orders to kill on which the named accused persons started assaulting the informant and his family members, further, Budh Dev assaulted by an iron rod causing injury on head of the informant, Nikhil assaulted Munshi with pistol butt causing injury on head and also assaulted Govind and Bahadur causing injury on their hand, thereafter, it is alleged Nityanand fired indiscriminately, further, Pankaj fired at his wife, it is also alleged that named accused persons also assaulted Bahadur causing injury on head.

Learned Senior counsel for the petitioner submits that petitioner No. 5 has antecedent of two cases and rest of the petitioners have antecedent of one case. Learned senior counsel further submits that petitioners have been falsely implicated in the present case, it is next submitted that when



an occurrence of such magnitude is committed, it is not possible to remember with such precision and allege with such certainty that who assaulted whom. Learned senior counsel next submits that there is no specific allegation of assault against any of the six accused persons (petitioners).

Learned senior counsel next submits that Shatrughan and Ankaj along with four others were granted anticipatory bail by order dated 4.11.2022 in Criminal Misc. No. 39124 of 2022.

Learned A.P.P. for the State and the learned counsel for the informant opposes the prayer for anticipatory bail of the petitioners but are not able to rebut the submission of the learned senior counsel that there is no specific allegation of assault alleged against any of the petitioners herein.

Considering the submissions made by the learned senior counsel for the petitioners, the petitioners above-named, 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. 10,000/- (Rupees Ten 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 Suryagarha P.S. Case No. subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

HarshPandey/-

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