

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46428 of 2021

Arising Out of PS. Case No.-355 Year-2021 Thana- DANAPUR District- Patna

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1. KAMESHWAR @ KAMESHWAR PRASAD @ DOCTOR SHAHEB Son of Shree Harinandan Rai @ Vilar Rai Resident of Mohalla- Nasriganj, P.S.- Danapur, District- Patna.-12
 2. Rajesh Kumar Son of Kameshwar @ Kameshwar Prasad @ Doctor Shaheb Resident of Mohalla Nasriganj, P.S.- Danapur, District- Patna-12

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prakash Chandra Jha, Adv.
For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-04-2022 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

Learned counsel for the petitioners undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 147, 149, 341, 342, 323, 427, 504, 353 of the Indian Penal Code.

Allegedly, the informant, a Junior Engineer was on duty of dismantling work of deadline, in the meanwhile a cow of the petitioner no.1 came in contact of line service wire and died.



Although assurance of compensation was given, the accused persons assaulted the informant in an attempt to kill him and also dismantled the premises causing electricity disturbance in the locality.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. Petitioners have not used any criminal force to deter the informant from discharging his duty. It is further submitted that the petitioners simply wanted the compensation but the informant denied the same and handled the petitioners in a rude manner and thereafter lodged the case to save his skin. Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, since there is general and omnibus allegation against the petitioners, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing



bail bond of Rs. 25,000/- (Rupees Twenty 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 Danapur P.S. Case No.355 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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