

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40180 of 2022

Arising Out of PS. Case No.-341 Year-2021 Thana- ISLAMPUR District- Nalanda

1. GAILU KUMAR S/O KISHORI PRASAD @ SHYAM KISHOR YADAV
Resident of Village- Mahangupur, P.S.- Makhdumpur, District- Jehanabad.
2. AMIT KUMAR S/O KISHORI PRASAD @ SHYAM KISHOR YADAV
Resident of Village- Mahangupur, P.S.- Makhdumpur, District- Jehanabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gaurav Singh

For the Opposite Party/s : Mr.Raj Ballabh Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-11-2022 Heard both sides.

Petitioners apprehend their arrest in connection with Islampur P.S. Case No.341 of 2021, registered for the offences punishable under Sections 341, 323, 504, 506, 379, 308 and 34 of the Indian Penal Code.

The petitioners and other co-accused persons are said to have assaulted the informant indiscriminately by means of butt of pistols causing injuries on his temporal, face and whole body. Petitioner No.1, Gailu Kumar is said to have snatched locket of Bajrang Bali made of gold and petitioner no.2, Amit Kumar is said to have taken out documents of land by breaking lock of dickey of motorcycle.



Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. Petitioner No.1 has got no criminal antecedent whereas petitioner no.2 has got one criminal antecedent as stated in paragraph-3 of the bail application. It is further submitted that no specific overt act is alleged against the petitioners. The allegations are general and omnibus. The specific allegation is against Chhotu Kumar, Guddu Kumar and Upendra Yadav. It is also submitted that no incriminating article has been recovered either from the house or from the conscious possession of the petitioners.

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

Taking into consideration the fact that no specific overt act is alleged against the petitioners, let 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 enlarged on bail on furnishing bail bonds of Rs.25,000/- (rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Hilsa, Nalanda in connection with Islampur P.S. Case No.341 of 2021, subject to the conditions laid down under



Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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