

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53982 of 2021

Arising Out of PS. Case No.-87 Year-2021 Thana- BIKRAM District- Patna

SURYAKANT NIRALA @ SURAJ KANT NIRALA SON OF
DHARMENDRA RAM RESIDENT OF VILLAGE- DATIYANA, P.S.
BIKRAM, DISTRICT- PATNA, STATE- BIHAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 54210 of 2021

Arising Out of PS. Case No.-87 Year-2021 Thana- BIKRAM District- Patna

1. RAMADHAR RAM SON OF LATE GOVARDHAN RAM @
GOBARDHARN RAM RESIDENT OF VILLAGE- DATIYANA, P.S.
BIKRAM, DISTRICT- PATNA, STATE-BIHAR
2. JITENDRA PRASAD @ SUKHARI RAM SON OF RAMADHAR RAM
RESIDENT OF VILLAGE- DATIYANA, P.S. BIKRAM, DISTRICT-
PATNA, STATE-BIHAR
3. KUNAL KUMAR SON OF LATE YOGENDRA RAM @ DEVENDRA
PRASAD RESIDENT OF VILLAGE- DATIYANA, P.S. BIKRAM,
DISTRICT- PATNA, STATE-BIHAR
4. AMRENDRA PRASAD @ AMRENDRA RAM SON OF LATE
KYOGENDR RAM RESIDENT OF VILLAGE- DATIYANA, P.S.
BIKRAM, DISTRICT- PATNA, STATE-BIHAR
5. KAUSHAL KISHORE @ KAUSHAL KISHOR @ DILIP KUMAR SON
OF LATE YOGENDRA RAM @ DEVENDRA PRASAD RESIDENT OF
VILLAGE- DATIYANA, P.S. BIKRAM, DISTRICT- PATNA, STATE-
BIHAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 53982 of 2021)

For the Petitioner/s : Mr. Jagjit Raushan

Mr.Prashant Kumar

For the Opposite Party/s : Mr. Anuj Kumar Srivastava

(In CRIMINAL MISCELLANEOUS No. 54210 of 2021)

For the Petitioner/s : Mr. Jagjit Raushan

Mr.Prashant Kumar



For the Opposite Party/s : Mr. Anuj Kumar Srivastava

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 18-07-2022 The learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

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

The petitioners apprehend their arrest for the offences alleged under Section 341, 323, 325, 354, 307, 379, 504, 506 and 34 of the Indian Penal Code, registered in connection with Bikram P.S.Case No. 87 of 2021.

As per allegation, some altercation took place between the children. Thereafter the petitioner Suryakant Nirala @ Suraj Kant Nirala started abusing the nephew of the informant. On protest, Suryakant Nirala @ Suraj Kant Nirala, Dilip Kumar and Kunal Kumar assaulted the informant. Co-accused Sukhari Ram, Amrendra Ram and the petitioner Ramadhar Ram abused the family members of the informant. The allegation against petitioner Suryakant Nirala @ Suraj Kant Nirala is that he inflicted repeated rod blows on the person of the informant's father, who sustained fractured injury.

The learned counsel for the petitioners has submitted



that the matter relates to trivial altercation between the children of both the parties over a Cricket match. He has submitted further that there is case and counter case and members of the defense side have also sustained injuries. He has also submitted that most of the injuries are simple in nature.

There is specific allegation against the petitioner Suryakant Nirala @ Suraj Kant Nirala that he inflicted repeated rod blows on the person of the informant's father who sustained fractured injury.

In view of the allegation against the petitioner Suryakant Nirala @ Suraj Kant Nirala in Cr.Misc.No.53982 of 2021 of inflicting rod blows on the person of the informant's father who sustained fractured injury, I am not inclined to grant him the privilege of anticipatory bail. **His prayer for anticipatory bail is hereby rejected.**

However, if the petitioner Suryakant Nirala @ Suraj Kant Nirala surrenders and seeks regular bail in the court below, the same shall be considered and disposed of on its own merit without being prejudiced by this order on the same day.

So far as petitioners of Cr.Misc. No.54210 of 2021, named above are concerned, let them in the event of their arrest or surrender within four weeks from the date of communication



of this order, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each, with two sureties of the like amount each to the satisfaction of learned ACJM-VI, Danapur in connection with Bikram P.S.Case No. 87 of 2021, subject to the conditions as laid down under Section 438(2) Cr. P.C.

Office shall ensure that all defects are removed by the petitioners within the stipulated time as provided hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

HR/-

U		T	
---	--	---	--

