

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59504 of 2021

Arising Out of PS. Case No.-3 Year-2021 Thana- SURYAGARHA District- Lakhisarai

1. SUJEET KUMAR Son of Satyanarayan Paswan Resident of Village - Manuchak, P.S.- Suryagarha, District - Lakhisarai.
2. Prem Ranjan Kumar @ Priya Ranjan Kumar Son of Ramsewak Paswan Resident of Village - Manuchak, P.S.- Suryagarha, District - Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gyanendra Kumar Singh, Adv.

For the Opposite Party/s : Mr.Ramchandra Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 07-06-2022 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Suryagarha P.S. Case No. 3/2021 registered for the offence punishable under Sections 141, 149, 447, 341, 323, 307, 504 and 506 of the Indian Penal Code.

The allegation is regarding scuffle having taken place in between the son of the informant and the accused persons including the petitioners herein on account of playing of cricket game resulting in the accused persons including the



petitioners herein having assaulted the son of the informant resulting in him receiving serious injuries. It is alleged that the co-accused person, namely, Bittu Kumar, had hit the son of the informant on his head resulting in the son of the informant falling down on the ground, whereafter all the accused persons including the petitioners herein had assaulted the son of the informant.

The learned counsel for the petitioners submits that the petitioners are innocent, they have been falsely implicated in the present case and they are having a clean antecedent. The learned counsel for the petitioners has further submitted that a general and omnibus allegation has been levelled against the petitioners herein and the main accused in the present case is the co-accused person, namely, Bittu Kumar, who is alleged to have specifically assaulted the son of the informant. It is also submitted by referring to discharge ticket issued by the Patna Medical College and Hospital, Patna qua the son of the informant that no serious injuries seem to have



been sustained by the son of the informant. Lastly, it is submitted that the petitioners are ready to abide by such conditions as may be imposed by this Court for the purposes of grant of anticipatory.

The learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioners and taking into account the materials available on record as also considering the fact that a general and omnibus allegation of assault has been levelled against all the accused persons including the petitioners herein, although specific allegation has been levelled against the co-accused person, namely, Bittu Kumar, apart from the fact that the petitioners are having a clean antecedent, I deem it fit and proper to admit the petitioners to the privilege of anticipatory bail.

Accordingly, the petitioners are directed to be enlarged on anticipatory bail, in the event of their arrest or surrender before the court below within a



period of four weeks from the date of receipt/production of a copy of this order, on anticipatory bail on furnishing bail bond of Rs. 50,000/- (rupees fifty thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai, in connection with Suryagarha P.S. Case No. 3 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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