

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62209 of 2021**

Arising Out of PS. Case No.-140 Year-2020 Thana- SAKURABAD District- Jehanabad

OM PRAKASH @ OM PRAKASH NIRALA Son of Shiv Bachan Singh
Resident of Village- Ishakchak, P.O.- Aira, P.S.- Shakurabad, District-
Jehanabad, Bihar- 804421.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pranav Kumar, Advocate

For the Opposite Party/s : Mr.Murli Dhar, APP

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 11-07-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner undertakes to remove
the defects within three weeks. In the eventuality of non-
removal of defects within undertaken period, the office will
place the matter before the Bench.

The petitioner apprehends his arrest in a case registered
for the offence punishable under Sections 341, 323, 307, 338,
302/34 of the Indian Penal Code.

Prosecution case in brief is that the son of the informant
went for walk, meanwhile some miscreants brutally assaulted
him and after that he came to his house and became
unconscious. It is alleged that the informant got knowledge



about the occurrence by social media. Thereafter, the son of the informant died in course of treatment. It is further alleged that in the occurrence, co-accused Rajnish Kumar, Raju Kumar and some other boys are involved and they also snatched the mobile of Md. Nasim during the occurrence.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. Petitioner is not named in the F.I.R. but his name transpired in this case on the basis of statement of the apprehended co-accused before the police. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. Petitioner has no criminal antecedent and several similarly situated co-accused persons have been enlarged on anticipatory bail by this Court and a co-ordinate Bench of this court vide order dated 04.07.2022, passed in Cr. Misc. No.58954 of 2021 and vide order dated 01.04.2022 passed in Cr. Misc. No.59594 of 2021.

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

Having regard to the facts and circumstances of the case, since similarly situated co-accused have been granted bail, let



the above named petitioner, be released on bail, in the event of his 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) 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 Shakurabad P.S. Case No.140/2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

pallavi/-

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

