

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16871 of 2023

Arising Out of PS. Case No.-441 Year-2022 Thana- CHANDI District- Nalanda

1. Nitish Kumar S/O Sipahi Yadav Village- Sahwajpur Ps- Chandi (Wena) Dist- Nalanda
2. Pappu Kumar @ Pappu Paswan, son of Bahadur Paswan Village- Kamal Bigha Ps- Chandi (wena) Dist- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prince Kumar Mishra, Advocate

For the Opposite Party/s : Mr.Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 24-05-2023 Heard the learned counsel for the
petitioners and learned APP for the State.

This is an application for grant of anticipatory bail in connection with Chandi (Wena) P.S. Case No.441 of 2022, registered for offences under Sections 341, 323, 354-B, 504, 506/34 of the IPC.

The allegation is regarding the informant having been engaged, by the accused persons including the petitioners herein, for performing in a program, on the occasion of Chhath Pooja, whereafter she was taken to Harnaut on



01.11.2022, however, in the night, the accused persons including the petitioners herein had made the informant sit in their car and had then assaulted her as also had misbehaved with her.

The learned counsel for the petitioners has submitted that the petitioners are innocent, they have been falsely implicated in the present case and they have having a clean antecedent. The learned counsel for the petitioners has further submitted that on account of certain dispute with regard to payment of money to the informant, for the dance programme organized by her, she has lodged the present FIR by concocting a false story, however, no such incident as alleged, had even taken place inasmuch as there is no injury report on the record of the case.

Per contra, the learned APP 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 parties and taking into account the materials



available on record as also considering the fact that there is no evidence of the informant being injured in the alleged occurrence, 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 above named 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 furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Hilsa (Nalanda) in connection with Chandi (Wena) P.S. Case No.441 of 2022, 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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