

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21929 of 2023

Arising Out of PS. Case No.-137 Year-2022 Thana- TELHARA District- Nalanda

1. Niraj Kumar @ Chote Son of Anil Prasad Resident of Village - Bahuara, P.S.- Telhara, District - Nalanda.
2. Pankaj Kumar Son of Anil Prasad Resident of Village - Bahuara, P.S.- Telhara, District - Nalanda.
3. Raushan Kumar Son of Late Ajay Prasad Resident of Village - Bahuara, P.S.- Telhara, District - Nalanda.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Mrigendra Kumar, Advocate
For the Opposite Party : Mr.Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 24-06-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners, in the present case, are seeking pre-arrest bail in connection with Telhara P.S. Case No. 137 of 2022 registered for the offences punishable under Sections 341, 323, 354(A), 379, 307, 504, 506 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution story, the informant has alleged that while she came at her maika to attend Brahmbhoj of her father and during Brahmbhoj three accused petitioners in intoxicated condition came there and started using filthy language and when she objected them, they started assaulting



her by means of lathi.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in this case in family dispute. Learned counsel submits that these petitioners are the nephew of the informant and there is no injury to anybody.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners.

Having regard to the submissions of learned counsel for the petitioners that these petitioners are the nephew of the informant and in connection with a family dispute these petitioners have been falsely implicated in this case, there is no injury to anybody and these petitioners who are of very young age have otherwise no criminal antecedent and save and except one case lodged by the family members of the present informant, there is no other case against the petitioners, this Court, therefore, directs that in case of their arrest/surrender within a period of four weeks from today, let the petitioners above-named be enlarged on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate - 1st Class, Hilsa, Nalanda in connection with Telhara P.S. Case No. 137 of 2022, subject to the conditions as laid



down under Section 438 (2) of the Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

And further condition that in case the petitioners are found involved in similar kind of offence in future, it will be open for the informant to file an application for cancellation of bail of the petitioners.

(Rajeev Ranjan Prasad, J)

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