

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23342 of 2023

Arising Out of PS. Case No.-548 Year-2022 Thana- KESARIA District- East Champaran

1. Sita Devi W/O Anil Prasad Resident of Village- Gavandri, P.S.- Kesariya, District- East Champaran.
2. Om Prakash Kumar S/O Late Jildar Prasad Resident of Village- Gavandri, P.S.- Kesariya, District- East Champaran.
3. Sachin Kumar S/O Jagannath Prasad Resident of Village- Gavandri, P.S.- Kesariya, District- East Champaran.
4. Kilish Kumar S/O Jagannath Prasad Resident of Village- Gavandri, P.S.- Kesariya, District- East Champaran.
5. Bittu Kumar S/O Jagannath Prasad Resident of Village- Gavandri, P.S.- Kesariya, District- East Champaran.
6. Anil Prasad S/O Jildar Prasad Resident of Village- Gavandri, P.S.- Kesariya, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kundan Rathore@ Kundan Kumar
For the Opposite Party/s : Mr.Shailendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 26-06-2023 At the outset, learned counsel for the petitioners seeks permission to withdraw this anticipatory bail application with respect to Anil Prasad petitioner no. 6, as during pendency of this case, petitioner no. 6 has already been arrested.

Permission is accorded. The anticipatory bail application with respect to petitioner no. 6 is dismissed as withdrawn having become infructuous.

Heard learned counsel for the petitioners and learned



counsel for the State.

The petitioner nos. 1, 2, 3, 4 and 5 apprehend their arrest in a case registered for the offences punishable under Sections 307, 354(B), 379 and other allied sections of the Indian Penal Code.

As per the prosecution case, on the alleged date and time of occurrence, while the informant along with her husband was at her door, the accused persons including petitioners came and started abusing. When the informant and her husband opposed, all the accused persons including petitioner assaulted the informant and her family members.

It is submitted that specific accusation of assault is against co-accused Jagannath Prasad and Ramsanehi Prasad. So far as petitioners, are concerned, there is general and omnibus allegation. There is case and counter case. Petitioners claim clean antecedents.

Considering the facts aforesaid, the petitioner nos. 1, 2, 3, 4 and 5 above-named, in the event of their arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, are directed to be enlarged 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 the learned Chief Judicial Magistrate, Motihari,
East Champaran in connection with Keshariya P.S. Case No.
548 of 2022, subject to the conditions as laid down under
Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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