

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24654 of 2023

Arising Out of PS. Case No.-331 Year-2022 Thana- DIDARGANJ District- Patna

1. NEERAJ KUMAR S/O ASHOK SINGH Resident of Village- Hiranandpur, P.S.- Didarganj, District- Patna.
2. DAYANAND YADAV @ DAYANAND SINGH S/O KAPILDEO SINGH Resident of Village- Hiranandpur, P.S.- Didarganj, District- Patna.
3. RAHUL KUMAR @ RAHUL RAI S/O DAYANAND YADAV Resident of Village- Hiranandpur, P.S.- Didarganj, District- Patna.
4. KAPILDEO SINGH @ KAPILDEO RAI S/O LATE NANHAK SINGH Resident of Village- Hiranandpur, P.S.- Didarganj, District- Patna.
5. GUDDU KUMAR @ GUDDU SINGH S/O RAJBALLABH YADAV Resident of Village- Hiranandpur, P.S.- Didarganj, District- Patna.
6. SANNY KUMAR S/O RAJBALLABH YADAV Resident of Village- Hiranandpur, P.S.- Didarganj, District- Patna.
7. SAGAR KUMAR S/O RAJBALLABH YADAV Resident of Village- Hiranandpur, P.S.- Didarganj, District- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Jitendra Kumar Singh, Addl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 28-07-2023 At the outset, learned counsel for the petitioner No . 5 seeks permission to withdraw the pre-arrest bail petition.

This bail petition of the petitioner No . 5 is dismissed as withdrawn.

Heard learned counsel for the petitioner Nos . 1 , 2,



3, 4, 6, and 7 and the State.

2. Petitioners apprehend their arrest in a case registered for the offence punishable under sections 147, 148, 149, 341, 323, 307, of the Indian Penal Code.

3. It is alleged that while the informant had gone to his field to see his crop, in the meantime all the 12 F.I.R. accused persons including this petitioner assaulted the informant and one co-accused namely Gajendra Kumar fired upon him.

4. It is submitted that specific accusation of firing is against co-accused Gajendra Kumar and the allegation of assault with lathi is against Diraj Kumar. There is general and omnibus allegation of assault against these petitioners. No specific overt act is alleged against these petitioners.

5. Learned counsel for the petitioners oppose the bail petition.

6 Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioner Nos . 1 , 2, 3, 4, 6, and 7, as named above, 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 learned J.M., Ist Class, Patna City in connection Didarganj P.S. Case No 331 of 2022, subject



to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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