

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.28200 of 2023**

Arising Out of PS. Case No.-994 Year-2022 Thana- BIHTA District- Patna

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1. Rakesh Kumar, Son of Aklu Ray, R/O-Tillu Tola, P.S.-Naubatpur, Distt.-Patna
  2. Pintu Kumar, Son of Mahesh Ray @ Mahesh Prasad, R/O-Tillu Tola, P.S.-Naubatpur, Distt.-Patna

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Satish Chandra, Advocate

For the Opposite Party/s : Mr. Kumar Veerendra Narayan, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

2      14-07-2023                      Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners in the present case are seeking pre-arrest bail in connection with Bihta P.S. Case No. 994 of 2022 registered for the offence punishable under Sections 341, 323, 307, 427, 379, 504, 506/34 of the Indian Penal Code. They have got no criminal antecedent.

3. As per the prosecution story, on 26.09.2022 at about 04:50 P.M. these two petitioners came at the shop of the informant and started abusing him. They also assaulted him and put the pistol on his head and threatened to kill him. The two petitioners also snatched Rs.2,000/- from the informant and broke laptop and other furniture of the shop.



4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case.

5. Learned APP for the State has opposed the anticipatory bail of the petitioners.

6. Having regard to the facts and circumstances of the case, the nature of the dispute which has arisen on non-payment of the charges to the informant for making online applications through his cafe shop, the age of the petitioners and the fact that they are said to be the students, they have otherwise no criminal antecedent, hence, this Court directs that in case of their arrest or surrender within a period of four weeks from today, the petitioners shall be released on bail in connection with Bihta P.S. Case No. 994 of 2022 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate- 1<sup>st</sup>, Danapur at Patna, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. And further condition that during the ongoing investigation of trial of this case, the petitioners shall not visit the shop of the informant and in no manner they would approach or try to influence the informant. In case of violation



of this condition, it will be open for the informant to apply for cancellation of the bail bond of the petitioners.

8. 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.

9. This application stands allowed.

**(Rajeev Ranjan Prasad, J)**

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