

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30998 of 2023

Arising Out of PS. Case No.-251 Year-2022 Thana- PARSA District- Saran

1. NILAM DEVI WIFE OF KRISHNA PRASAD SINGH R/O VILLAGE-UTTIMPUR, P.S.- PARSA, DISTRICT- SARAN
2. GUDDU KUMAR SON OF KRISHNA PRASAD SINGH R/O VILLAGE-UTTIMPUR, P.S.- PARSA, DISTRICT- SARAN
3. SANJAY SINGH @ SANJAY KUMAR SINGH SON OF LATE NANHAK SINGH R/O VILLAGE- UTTIMPUR, P.S.- PARSA, DISTRICT- SARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harsh Singh, Advocate
For the Opposite Party/s : Mr. Md. Fahimuddin, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-07-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 188, 341, 323, 324, 225, 325, 353, 224, 504 and 506/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that petitioner nos. 1 and 3 are persons with clean antecedent, petitioner no. 2 has antecedent of one case and petitioner no. 1 is a woman.

The informant alleges that he, on the order of the S.H.O., Parsa Police Station, accompanied the U.P. Police to



arrest petitioner no. 2, further petitioner no. 2 was arrested but the accused persons including the petitioners attacked the force and freed petitioner no. 2. It is next alleged that Krishna Singh father of petitioner no. 2 assaulted the informant by lathi, Annu Kumari scratched his right hand and Amit Singh pushed S.I. Sandeep Kumar and accused persons also damaged the police vehicle.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case. It is further submitted that petitioner no. 2 was arrested by the U.P. Police and subsequently he was granted the benefit of Section 41(A) of the Cr.P.C. as the informant of the case in U.P. had resiled from her allegation. It is next submitted that the allegation of assault is general and omnibus in nature and no policeman suffered any injury. It is also submitted that since the informant of the case instituted in U.P. has already resiled from her allegation as such there was no apprehension for petitioner no. 2 to get arrested.

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

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the



event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Parsa P.S. Case No. 251 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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