

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42480 of 2023

Arising Out of PS. Case No.-151 Year-2023 Thana- RAJAOLI District- Nawada

1. Bijendra Kumar @ Bijendra Prasad S/O Sidheshwar Prasad R/O Village- Kajichak, P.S- Rajauli, Distt.- Nawada (Bihar).
2. Naresh Prasad S/O Sidheshwar Prasad R/O Village- Kajichak, P.S- Rajauli, Distt.- Nawada (Bihar).
3. Biru Kumar S/O Bijendra Prasad @ Bijendra Kumar R/O Village- Kajichak, P.S- Rajauli, Distt.- Nawada (Bihar).
4. Deepak Kumar S/O Naresh Prasad R/O Village- Kajichak, P.S- Rajauli, Distt.- Nawada (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subodh Kumar

For the Opposite Party/s : Mr.Narendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 10-08-2023 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 143, 341, 323, 354, 379, 308, 504, 506 of the Indian Penal Code and Section 27 of the Arms Act.

3. Allegation against the petitioners is that they along with other co-accused persons attacked the informant's side with weapons and also tried to outrage the modesty of daughter-in-law of the informant.

4. Learned counsel for the petitioners submits that



the petitioners are innocent and have been falsely implicated in this case. He submits that there is case and counter case between the parties and both sides have sustained injury. He submits that there is no specific overt act against the petitioners. He submits that there is general and omnibus allegation levelled against the petitioners. He further submits that petitioners have no criminal antecedent as stated in para-3 of this application.

5. Learned APP for the State opposing the prayer for bail submits that there is specific overt act against the petitioner no. 1.

6. Considering the facts and circumstances of the case and the fact that there is general and omnibus allegation levelled against the petitioner nos. 2, 3 and 4, let the above named petitioner nos. 2, 3 and 4 in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail 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 the learned court below where the case is pending/successor court in connection with Rajauli P.S. Case No. 151 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.



7. So far as petitioner no. 1 is concerned, there is specific over act against him, I am not inclined to enlarge the petitioner no. 1 on bail. Accordingly, his prayer for anticipatory bail is rejected in connection with the aforesaid case.

(Anjani Kumar Sharan, J)

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