

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40617 of 2023

Arising Out of PS. Case No.-121 Year-2023 Thana- PARSABAZAR District- Patna

1. Rajeev Kumar, Son of Narendra Prasad, Resident of Village - Ambedkar Path, Chamar Toli, Phulwari Sharif, P.S. - Phulwari Sharif, District - Patna At Present Bodhachak, P.S. - Parsa Bazar, District - Patna
2. Anil Kumar @ Anil Kumar Singh, Son of Late Ramashish Singh, Resident of Bodhachak Road, Near Kalyani Hospital, P.S. Parsa Bazar, District- Patna

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Surendra Kishore Thakur, Advocate
For the Opposite Party/s : Mr. Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 28-07-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. Petitioners in the present case are seeking pre-arrest bail in connection with Parsa Bazar P.S. Case No. 121 of 2023 registered for the offences under Sections 341, 323, 354, 307, 447, 504, 506, 34 of the Indian Penal Code. They have no criminal antecedent.

3. As per the prosecution story, on 02.03.2023 at about 08:30 A.M. when the informant along with her daughter was standing outside her house, one Pinky Devi started abusing her. When the informant protested, she called her family members including these petitioners who started abusing her in vitriolic words. The co-accused, namely, Ankit Kumar and



Sanoj Kumar tried to outrage her modesty. These two petitioners also assaulted her with iron rod due to which she sustained head injury.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. It is further submitted that the FIR has been lodged after two days of the said occurrence and the allegation of assault is against all the FIR named accused persons.

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

6. Having regard to the facts and circumstances of the case wherein the submission of learned counsel for the petitioners is that the FIR has been lodged after two days of alleged occurrence, allegedly the two petitioners were lashed with iron rod but allegation of assault is against all the named accused, they are close door neighbours and they have 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 Parsa Bazar P.S. Case No. 121 of 2023 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-VIII, Patna, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. 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.

8. This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

lekhi/-

U		T	
---	--	---	--

