

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49396 of 2023

Arising Out of PS. Case No.-709 Year-2022 Thana- FATUA District- Patna

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1. Dhiraj Kumar Son Of Bhushan Singh Resident Of Village- Buddhuchak, Ps-Fatuha, Distt- Patna
 2. Ankush Kumar Son Of Bhusan Singh Resident Of Village- Buddhuchak, Ps-Fatuha, Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Sinha

For the Opposite Party/s : Mr.Ajit Kumar

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 05-12-2023 Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

3. The petitioners are apprehending their arrest in connection with Fatuha P.S. Case No. 709/2022 corresponding to P.T. No. 3906/2022 dated 28.09.2022 registered for the offences punishable under Sections 323, 341, 307 and 504 read with 34 of the Indian Penal Code.

4. As per the prosecution case, the petitioners and the co-accused person are alleged to have caught hold of the



informant on the way and started dragging him forcibly towards an orchard and an argument took place. In the meantime, the co-accused Ankit Kumar with an intention to kill the informant struck him with a knife on his neck causing a sharp cut injury.

5. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. There is general and omnibus allegation against the petitioners. The specific allegation of inflicting the knife blow is against the co-accused Ankit Kumar. The petitioners have no criminal antecedent as stated in para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the prayer of anticipatory bail of the petitioners.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Patna City in connection with Fatuha P.S. Case No. 709/2022 corresponding to P.T. No. 3906/2022, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.



8. This application stands allowed.

(Chandra Prakash Singh, J)

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