

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44663 of 2023

Arising Out of PS. Case No.-67 Year-2023 Thana- BYPASS District- Patna

1. Santosh Kumar @ Chunnu Jee @ Chunnu Kumar, S/O Sri Nandu Mahto R/O Mohalla Chainpura (Bahari) P.S- Bypass, Distt.- Patna.
2. Ashutosh @ Golu S/O Santosh Mahto, R/O Mohalla Chainpura (Bahari) P.S- Bypass, Distt.- Patna.
3. Rajeev Kumar @ Bablu Mahto, S/O Dullu Mahto R/O Mohalla Chainpura (Bahari) P.S- Bypass, Distt.- Patna.
4. Pritam Kumar, S/O Bablu Mahto, R/O Mohalla Chainpura (Bahari), P.S- Bypass, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satish Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 04-08-2023 Heard learned Counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending arrest in connection with Bypass P.S. Case No.67/2023 registered on 08.02.2023 for the offences punishable under Sections 354, 379, 323, 341, 504, and 506/34 of the Indian Penal Code.

3. As per the prosecution, the FIR has been lodged against four named and 5-8 unknown accused persons. The allegation against the petitioners is that they along with 7-8 persons entered into the house of the informant and committed



loot, started assaulting and demanded Rs.2,00,000/- (rupees Two Lac). Petitioner no.1, namely, Santosh Kumar @ Chunnu Jee @ Chunnu Kumar is alleged to have assaulted the informant's wife and mother with fists and also snatched a gold chain from her neck.

4. It is submitted by learned counsel for the petitioners that the petitioners are innocent and have committed no offence. The informant and the accused persons, both are adjacent neighbour and well-known to each other. It is further submitted that the genesis of the occurrence is the parking of the auto of the informant in the land of the petitioners and petitioner no.1 used to protest for utilizing his land. Learned counsel for the petitioners further submits that 2 days earlier also hot discussion took place between them resulting in a scuffle from both sides and in this regard, petitioner no.1 has filed a complaint case against the informant and others. He further submits that the occurrence took place on 06.02.2023 whereas the FIR has been lodged on 08.02.2023. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

5. Learned counsel for the State opposes the prayer for bail.



6. Considering the facts and circumstances discussed above, let the above-named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, in the event of arrest or surrender before the learned Court below within a period of 6 weeks from today, on furnishing bail bond of ₹30000/- (thirty thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, Patna City, Patna in connection with Bypass P.S. Case No.67/2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dr. Anshuman, J)

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