

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43188 of 2023

Arising Out of PS. Case No.-116 Year-2023 Thana- OBRA District- Aurangabad

1. Arunjay Kumar @ Arunjay Singh @ Arunjay Kumar Singh son of Late Doma Prasad Singh Village- Atrauli Ps- Obra Dist- Aurangabad
2. Anup Kumar Singh son of Arunjay Kumar Singh Village- Atrauli Ps- Obra, Dist- Aurangabad
3. Anil Singh @ Anil Kumar son of Arunjay Kumar Singh Village- Atrauli Ps- Obra, Dist- Aurangabad
4. Amlendu Kumar son of Arunjay Kumar Singh Village- Atrauli Ps- Obra, Dist- Aurangabad
5. Raj Kumar Singh son of Late Doma Prasad Singh Village- Atrauli Ps- Obra, Dist- Aurangabad
6. Manoj Kumar @ Manoj Kumar Singh son of Raj Kumar Singh Village- Atrauli Ps- Obra, Dist- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yogesh Chandra Verma, Sr. Advocate
For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 04-08-2023 Heard learned senior counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Obra P.S. Case No. 116 of 2023 instituted under Sections 341, 323, 504, 354, 307 and 34 of the Indian Penal Code.

3. As per the prosecution case, on the alleged date and time of occurrence the informant alongwith her husband were returning home, meanwhile, Anil Singh who is one of the



petitioners started teasing her. The informant's husband protected her then the above named petitioners assaulted the informant's husband with sharp cutting weapons and *lathi* due to which he became unconscious and was taken to hospital.

4. Learned senior counsel for the petitioners submits that informant implicated all the family members i.e. father, son, brother, *bhatija* of petitioner No.1 in this case. There was previous enmity and grudge between the informant and the petitioners and, therefore, they have falsely been implicated in this case. He also submits that petitioner No. 1 is of aged about 73 years and petitioner No. 5 is also aged about 71 years. The allegation against the petitioners is general and omnibus in nature. There is only one injury on the husband of the informant. He also submits that there is no criminal antecedent against the petitioners except the petitioner No. 6 who has one criminal antecedent under Section 30 (a) of Bihar Prohibition and Excise Act, in which he is on bail.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks



from today, the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount to each to the satisfaction of the learned S.D.J.M., Daudnagar of Aurangabad in connection with Obra P.S. Case No. 116 of 2023, subject to conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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