

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43552 of 2023**

Arising Out of PS. Case No.-306 Year-2022 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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SUNNY KUMAR @ SUNNI KUMAR Son of Vinod Kumar @ Binod Kumar
Resident of village - Bhairwar, P.S.- Muffasil (Lakho OP), District -
Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr.Ram Bilash Roy Raman, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 04-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner, in the present case, is seeking pre-arrest bail in connection with Muffasil P.S. Case No.306 of 2022 registered for the offences punishable under Sections 341, 427, 323, 307, 384, 379, 504 and 506/34 of the Indian Penal Code. The petitioner has got no criminal antecedent.

3. As per the prosecution story, the allegation against the petitioner is that he along with other co-accused persons came variously armed with lathi, danda, iron rod and pistol at the door of the informant started abusing him and on objection raised by the informant all the accused persons started assaulting him by lathi, danda and pistol. It is alleged that



during course of assault one Abhishek Kumar assaulted the informant with iron rod on his head due to which he sustained head injury. It is further alleged that Sunny Kumar (petitioner) snatched a golden chain from the neck of the informant.

4. Learned counsel for the petitioner submits that specific allegation of assault on the head of the informant is attributed to the co-accused Abhishek Kumar. Learned counsel submits that the allegation against the petitioner is general and omnibus and the petitioner has otherwise no criminal antecedent.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having regard to the submission that the specific allegation of assault on the head of the informant is attributed to the co-accused Abhishek Kumar, the allegation against the petitioner is general and omnibus and the petitioner has otherwise no criminal antecedent, this Court directs that in case of his arrest/surrender within a period of four weeks from today, let the petitioner above-named be enlarged on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with



Muffasil P.S. Case No. 306 of 2022, 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 petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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 allowed.

(Rajeev Ranjan Prasad, J)

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