

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43696 of 2023

Arising Out of PS. Case No.-205 Year-2022 Thana- NARHATT District- Nawada

1. Santosh Kumar Son Of Gorelal Singh Resident Of Sinduari, Po- Chota Jamuara, Ps- Narhat, Dist- Nawada, Bihar
2. Ashutosh Kumar Son Of Santosh Kumar Resident Of Sinduari, Po- Chota Jamuara, Ps- Narhat, Dist- Nawada, Bihar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Suman Kumar

For the Opposite Party/s : Mr.Anant Kumar 1

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 07-08-2023 Heard learned counsels for the petitioner and the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 307, 379 of the Indian Penal Code and section 27 of the Arms Act.

3. Allegation against petitioner no. 1 is of commission of assault by butt of pistol on the head of informant causing head injury. Petitioner no. 2 is alleged to have snatched gold *Bajrangbali* locket from the neck of cousin brother of informant.

4. It is submitted that there is general and omnibus



allegation. Case and counter case. The doctor has found the injury attributed to petitioner no. 1 simple in nature. Allegation of snatching gold locket is super addition to make the case grave.

5. Counsel for State vehemently opposed the prayer for bail.

6. So far as the case of Santosh Kumar petitioner no. 1 is concerned, there is specific allegation of assault with butt of pistol on the head of informant causing head injury and he has got criminal antecedent, I am not inclined to enlarge the petitioner no. 1 on anticipatory bail. Accordingly, the same is rejected.

7. Considering the fact that there is no allegation of assault against Ashutosh Kumar petitioner no. 2, therefore, petitioner no. 2, in the event of his arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nawada in connection with Narhat P.S. Case No. 205 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of



Criminal Procedure.

(Prabhat Kumar Singh, J)

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