

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44481 of 2023

Arising Out of PS. Case No.-71 Year-2021 Thana- PARASBIGHA District- Jehanabad

1. Devendra Kumar Son Of Late Sidheshwar Singh Resident Of Village -TURKAUL, Ps- Parasbigha, Dist- Jehanabad
2. Nagendra Kumar Son Of Late Sidheshwar Singh Resident Of Village -TURKAUL, Ps- Parasbigha, Dist- Jehanabad
3. Rajesh Kumar Son Of Late Sidheshwar Singh Resident Of Village -TURKAUL, Ps- Parasbigha, Dist- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhola Kumar, Advocate

For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 25-08-2023 1. Learned counsel for the petitioners, at the outset, seeks permission to rectify father's name of petitioner no.3 which inadvertently has been typed as Disheshwar Singh instead of Sidheshwar Singh.
2. Permission is accorded.
3. Heard learned counsel for the petitioners and learned A.P.P. for the State.
4. The petitioners apprehend their arrest in connection with Parasbigha P.S. Case No. 71 of 2021 registered for the offences punishable under Sections 341, 323, 307, 504 and 34 of the Indian Penal Code.



5. Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that accused persons, including the petitioners, surrounded him and his family members and started assaulting by *lathi*, *farsa*, pistol, etc causing injury to him and his brother on head and his mother also received serious injuries.

6. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case, it is next submitted that no specific allegation of committing any overt act is alleged against the petitioners i.e. there is no specific allegation of assault against the petitioners when admittedly the petitioner is a person with clean antecedent. It is further submitted that similarly situated co-accused Upendra Kumar and Dharmendra Kumar have been granted the privilege of anticipatory bail by a learned coordinate Bench of this Court *vide* order dated 23.06.2023 in Cr. Misc. No. 17331 of 2023.

7. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

8. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on



anticipatory bail on furnishing bail bonds of Rs. 10,000/-
(Rupees Ten Thousand) each with two sureties of the like
amount each to the satisfaction of the learned court below where
the case is pending/successor court in connection with
Parasbigha P.S. Case No. 71 of 2021 subject to the conditions as
laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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