

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48331 of 2023

Arising Out of PS. Case No.-189 Year-2022 Thana- NIMCHAKBATHANI District- Gaya

1. Himat Kumar S/O Uday Yadav R/O Mohalla- Janakpur, P.S- Muffasil, Distt.- Gaya.
2. Guddu Kumar S/O Arvind Yadav @ Arvind Prasad R/O Mohalla- Janakpur, P.S- Muffasil, Distt.- Gaya.
3. Raju Kumar S/O Dhodhi Yadav R/O Mohalla- Janakpur, P.S- Muffasil, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Adv.

For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 11-08-2023 Heard Mr. Vinod Kumar, learned counsel for the
petitioners and learned APP for the State.

2. The petitioners apprehend their arrest in connection with Nimchak Bathani P.S. Case No. 189 of 2022 registered for the offences punishable under Sections 394 and 411 of the Indian Penal Code.

3. It is alleged that while all the FIR named accused persons including the petitioners, by reserving the tempo of the informant were going to village Singhaul from Rajgir, in the meanwhile, in the way the petitioners and one another person started assaulting the informant and snatched Rs. 5000/- and a



mobile as well as his golden pendant.

4. Learned counsel for the petitioners submits that both the informant and the petitioners are known to each other and, in fact, they had gone to village Singhaul on the tempo of the informant but over the dispute of fare, an altercation took place resulting into scuffle and therefore this FIR has been instituted only in order to teach a lesson to the petitioners. He further submits that the mobile phone of the informant has been recovered from co-accused Priyanshu Kumar and so far the petitioners are concerned, there is no specific allegation of any assault and snatching against them. He lastly submits that the petitioners bear fair antecedent and they undertake that they will fully cooperate in the investigation/trial and will not indulge in such type of crime in future.

5. On the other hand, learned counsel for the State opposes the bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the nature of allegation and the fair antecedent of the petitioners, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten



thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Gaya in connection with Nimchak Bathani P.S. Case No. 189 of 2022, subject to the condition as laid down under Section 438(2) of the Cr.P.C., with further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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