

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50513 of 2023

Arising Out of PS. Case No.-170 Year-2023 Thana- BIBHUTIPUR District- Samastipur

1. GAURAV KUMAR S/O HEMANT KUMAR HIM R/O Village- Singhiya Ghat South, P.S- Bibhutipur, Distt.- Samastipur.
2. Sanjay Kumar @ Sanjay Kumar Singh S/O Ram Sagun Mahto R/O Village- Singhiya Ghat South, P.S- Bibhutipur, Distt.- Samastipur.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Lakshmindra Kumar Yadav, Advocate
For the Opposite Party/s : Mr.Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 23-08-2023 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners in the present case are seeking pre-arrest bail in connection with Bibhutipur P.S. Case No.- 170 of 2023 registered for the offences punishable under Sections 341, 323, 325, 307, 379, 504, 506/34 of the Indian Penal Code. They have got no criminal antecedent.

3. Learned counsel for the petitioners submits that as per the prosecution when the informant was closing his shop the petitioners along with co-accused Vinit Kumar snatched Rs. 2500/- and silver chain of the informant. In the meantime, co-accused Vinit Kumar assaulted the informant with an iron rod causing injury on his head.



4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. It is submitted that there is no specific allegations against the petitioners of causing grievous injury to the informant.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Having regard to the fact that the thrust of allegations are against the co-accused Vinit Kumar, the petitioners have otherwise no criminal antecedent, this Court directs that in case of their arrest or surrender within a period of four weeks from today, the petitioners above named shall be enlarged on bail in connection with Bibhutipur P.S. Case No.- 170 of 2023 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Rosera, District-Samastipur, 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 petitioners and in case, at any stage, it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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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