

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47982 of 2022

Arising Out of PS. Case No.-374 Year-2022 Thana- FATUA District- Patna

1. Vinay Kumar Son of Laxmi Chaudhary @ Laxmi Narayan Jaiswal R/V- Govindpur, P.S- Fathuha, Dist- Patna
2. Vijay Kumar Son of Laxmi Chaudhary @ Laxmi Narayan Jaiswal R/V- Govindpur, P.S- Fathuha, Dist- Patna
3. Amar Kumar Son of Laxmi Chaudhary R/V- Govindpur, P.S- Fathuha, Dist- Patna
4. Bitu Kumar @ Himanshu Raj Son of Raju Prasad R/V- Govindpur, P.S- Fathuha, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhat Kumar Singh, Adv.

For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 06-01-2023 Heard learned counsel for the petitioners and learned
APP for the State in Virtual Court Proceeding.

Let the defect(s), if any, as pointed out by the
office, be removed within four weeks.

The petitioners are apprehending arrest in
connection with Fatuha P.S. Case No. 374 of 2022 instituted
under sections 323, 341, 307, 379, 504, 506, 34 of the Indian
Penal Code.

As per the prosecution story, the informant has
alleged that one Ravish Kumar came to the nursing home for



treatment when 15-20 persons covering their face by scarves started looting and upon protest by the staff also misbehaved. Further allegation is of looting Rs. 90,000/- on the point of pistol and when Ravish Kumar protested, one masked man assaulted him with the butt of pistol. The others injured have also been named in the FIR.

Learned counsel for the petitioner submits that there is omnibus allegation against 15-20 persons and no specific allegation against the petitioner herein. The further submission is that actually it was Ravish Kumar who was moving on motorcycle who met with an accident with a tempo and in the quarrel, he had sustained some injuries and the same has been given the colour of loot and assault.

The last submission is that another case i.e. counter version has also been lodged against him vide Fatua P.S. Case No. 400 of 2022. Further, the injuries have been found to be simple in nature.

The learned APP on the other hand submits that the allegation against the accused persons is of assault and loot of Rs. 90,000/-.

Taking into account the aforesaid facts that the petitioners do not have criminal antecedents and omnibus



allegation is against all of them, are ready to cooperate in the investigation and further all of them will be visiting the police station for next six months every fortnight to mark their attendance, this Court is inclined to grant them relief.

Let the petitioners be released on bail, in the event of their arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned ACJM-1, Patna City, in connection with Fatuha P.S. Case No. 374 of 2022 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

Ravi/Ajay
Singh/-

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