

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.48485 of 2023**

Arising Out of PS. Case No.-877 Year-2022 Thana- GAYA MUFASIL District- Gaya

1. SURAJ KUMAR @ SURAJ SON OF AJAY KUMAR @ AJAY KUMAR SINGH @ AJAY PRASAD RESIDENT OF VILLAGE- JAGDISHPUR ABGILA, PS- GAYA MOFFASIL, DIST- GAYA
2. BIKU @ BITTU @ MANISH KUMAR SON OF AJAY KUMAR @ AJAY KUMAR SINGH @ AJAY PRASAD RESIDENT OF VILLAGE- JAGDISHPUR ABGILA, PS- GAYA MOFFASIL, DIST- GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Arvind Kumar Singh, Adv.  
For the Opposite Party/s : Mr.Binod Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

2      11-08-2023                      Heard the learned counsel for the petitioners and learned APP for the State.

This is an application for grant of anticipatory bail in connection with Muffasil P.S. Case No.877 of 2022, registered for offences under Sections 147, 148, 149, 341, 323, 307, 337, 427, 448, 153, 504 and 506 of the Indian Penal Code.

The case of the prosecution, in brief, according to the informant is that 7 accused persons, named in the F.I.R., along with 20-25 unknown miscreants, had arrived at the house of



the informant, variously armed, whereafter they had assaulted the informant and his family members, causing injuries upon their person, as also had damaged the household articles and motorcycle of the informant. It is also alleged that the said dispute had taken place on account of bursting of fire crackers in front of the house of the informant, to which the informant had objected.

The learned counsel for the petitioners has submitted that the petitioners are innocent, they have been falsely implicated in the present case and they are having a clean antecedent. The learned counsel for the petitioners has further submitted that a general and omnibus allegation has been levelled against the accused persons and the injuries, if any sustained by the injured person have been found to be simple in nature. It is also submitted that similarly situated co-accused persons have already been granted the privilege of anticipatory bail by a co-ordinate Bench of this Court vide order dated 28.07.2023, passed in Cr. Misc. No.38263 of 2023.



*Per contra*, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the parity of the case of the petitioners with that of the co-accused persons, who have already been granted the privilege of anticipatory bail by a co-ordinate Bench of this Court, I deem it fit and proper to admit the petitioners to the privilege of anticipatory bail.

Accordingly, the above named petitioners are directed to be enlarged on anticipatory bail, in the event of their arrest or surrender before the court below, within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1<sup>st</sup> Class, Gaya, in



connection with Muffasil P.S. Case No.877 of 2022,  
subject to the conditions as laid down under  
Section 438(2) of the Code of Criminal Procedure.

**(Mohit Kumar Shah, J)**

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