

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56898 of 2023

Arising Out of PS. Case No.-159 Year-2023 Thana- GARKHA District- Saran

1. CHINTU KUMAR @ ROHIT KUMAR SON OF PAPPU SINGH @ UMA SHANKER SINH R/O-CHINTAMANGANJ, P.S.-GARKHA, DISTT.-SARAN AT CHAPRA
2. VISHU KUMAR @ RISHU KUMAR @ NISHU KUMAR SON OF CHHEDI SINGH @ UMA SHANKAR SINGH R/O-CHINTAMANGANJ, P.S.-GARKHA, DISTT.-SARAN AT CHAPRA
3. CHHEDI SINGH @ UMA SHANKAR SINGH SON OF LATE SHAILANATH SINGH R/O-CHINTAMANGANJ, P.S.-GARKHA, DISTT.-SARAN AT CHAPRA

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Nawal Kishore Singh, Advocate

For the Opposite Party/s : Mr.Braj Kishore Pd., APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 30-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner in the present case is seeking pre-arrest bail in connection with Garkha P.S. Case No. 159 of 2023 registered for the offences punishable under Sections 341, 323, 325, 379, 307 and 504/34 of the Indian Penal Code. He has got no criminal antecedent.

3. As per the prosecution story, all the accused persons name in this case called the informant and asked him who go with them at their home. When the informant denied the same, all the accused persons assaulted the informant with rod,



lathi which injured his right leg then a co-accused named Nitish Kumar, assaulted him with iron rod on his head with an intention to kill him.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. It is submitted that the allegations are general and omnibus in nature.

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

6. Having regard to the facts and circumstances of the case wherein it is submitted that the alleged occurrence took place on 15.03.2023, however, the family members of the informant did not lodge any FIR of the occurrence, they took the informant to the hospital where he claims to have made statement on 21.03.2023 which has been registered on 27.03.2023, the allegation against these petitioners are general and omnibus and that the petitioners have no criminal antecedent hence, this Court directs that in case of their arrest or surrender within a period of four weeks from today, the petitioners above named be released on bail in connection with Garkha P.S. Case No. 159 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 J.M. 1st class Saran at Chapra, 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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