

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51017 of 2023

Arising Out of PS. Case No.-524 Year-2022 Thana- BIHTA District- Patna

1. Chandan Kumar @ Chandan Son of Shailesh Kr. Singh Resident of village - Bishanpura, P.S. - Bihta, Distt. - Patna
2. Subhakar Singh @ Nandan Son of Shailesh Kr. Singh Resident of village - Bishanpura, P.S. - Bihta, Distt. - Patna
3. Anil Kumar Singh @ Anil Singh Son of Tuntun Singh Resident of village - Bishanpura, P.S. - Bihta, Distt. - Patna
4. Deoraj Kumar @ Deoraj Singh Son of Mithilesh Singh Resident of village - Bishanpura, P.S. - Bihta, Distt. - Patna
5. Subham Kumar @ Subham Singh Son of Kaushal Kishore Singh @ Bhura Singh Resident of village - Bishanpura, P.S. - Bihta, Distt. - Patna
6. Virat Singh Son of Rabindra Singh Resident of village - Baikunthpuri, P.S. - Maner, Distt. - Patna

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Girish Chandra Sharma, Advocate
Mr. Birendra Sharma, Advocate
For the Opposite Party/s : Ms. Renu Kumari, 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 Bihta P.S. Case No. 524 of 2022 registered for the offences punishable under Sections 147, 149, 323, 324, 307, 504, 506 of the Indian Penal Code. They have got no criminal antecedent.

3. As per the prosecution story, on 31.05.2022 at about 04:00 P.M. all the accused persons including these



petitioners assaulted Rajnish Sharma, who is working at costume counter in the water park situated at village Painal, with an intention of kill him as he refused to give costumes to the accused persons without payment of money.

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 allegation against the petitioners and the injuries are simple in nature.

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

6. Having regard to the submissions that there is no specific allegation against the petitioners, no overt act has been alleged and the allegations are general and omnibus against all the accused persons as also that the injury caused is simple in nature, there is a counter case vide Annexure '3' to the writ application and injury report (Annexure '4') suggesting injuries to the petitioners' side as well, in the nature of the submissions and the materials available on the record, 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 Bihta P.S. Case No. 524 of 2022 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each



with two sureties of the like amount each to the satisfaction of learned A.C.J.M-I, Danapur, 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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