

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56582 of 2023**

Arising Out of PS. Case No.-124 Year-2023 Thana- KAKO District- Jehanabad

1. Rabindra Kumar S/O Ramvilash Singh R/O Village- Khapura, P.S- Kako, Distt.- Jehanabad.
2. Arjun Yadav @ Arjun Prasad S/O Rambachan Yadav R/O Village- Khapura, P.S- Kako, Distt.- Jehanabad.
3. Kundan Kumar S/O Arjun Yadav @ Arjun Prasad R/O Village- Khapura, P.S- Kako, Distt.- Jehanabad.
4. Sonal Kumar S/O Arjun Yadav @ Arjun Prasad R/O Village- Khapura, P.S- Kako, Distt.- Jehanabad.
5. Rakesh Kumar @ Rahul S/O Ramvilash Singh R/O Village- Khapura, P.S- Kako, Distt.- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Dr. Bipin Chandra, Advocate Mr. Jay Prakash, Advocate
For the Opposite Party/s	:	Mr. Rabindra Kumar, APP
For the Informant	:	Ms. Kahkashan Alam, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 08-11-2023 Heard Mr. Dr. Bipin Chandra, learned counsel appearing on behalf of the petitioners and the learned APP for the State. The informant is represented by Ms. Kahkashan Alalm, learned counsel.

2. The petitioners are apprehending their arrest in connection with Kako P.S. Case No. 124 of 2023 registered for the offences punishable under Sections 341, 323, 325, 307, 504, 506/34 of the Indian Penal Code.



3. Allegedly while the informant was returning after parking his vehicle, in the meantime, all the petitioners surrounded him and brutally assaulted. It is specifically alleged that petitioner no.1, Ravindra Kumar, assaulted over his head by means of rod, due to which he sustained serious head injury, whereupon petitioner no.5, Rakesh Kumar @ Rahul, assaulted on his head and petitioner no.2 assaulted on his temple by means of lathi. Further allegation has been levelled against the other accused persons.

4. It is submitted on behalf of the petitioners that there is a land dispute between the parties, which is pending since long and on account of this reason, some scuffle took place, due to which the informant sustained some injuries. However, all the injuries have been found to be simple in nature. He further submits that the petitioners are ready to give undertaking that they would not be indulged in such type of activity in future and in case the petitioners would be found involve in intimidating the informant or commit such activities, the informant would be at liberty to file a petition for cancellation of the bail bonds of the petitioners.

5. On the other hand, learned APP for the State and the informant opposed the bail application and have drawn the



attention of this Court to the F.I.R. and with reference thereto submission has been made that earlier also the accused persons threatened the informant with dire consequences and this fact has been brought to the knowledge of the concerned police station, whereupon they have been released on bond, which emboldened the accused persons in repeating such type of crime and they do not deserve the privilege of anticipatory bail.

6.Regard being had to the submissions made on behalf of the parties and considering the nature of injuries and the undertaking given before this Court, let the petitioners, named above, in the event of their arrest or surrender before the court below within four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Jehanabad in connection with Kako P.S. Case No. 124 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with the further conditions that one of the bailors shall be the own/close relative of the petitioners and, in case, the petitioners will be found indulge in similar offence, the informant and any of his family members would be at liberty to file a petition for



cancellation of bail bonds of the petitioners.

(Harish Kumar, J)

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