

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.52142 of 2023**

Arising Out of PS. Case No.-88 Year-2023 Thana- NARDIGANJ District- Nawada

1. JITENDRA KUMAR @ JITENDRA YADAV @ HIRO YADAV S/O PRITAM PRASAD @ PRITAM YADAV @ KHERU YADAV R/O MOTNAJE, P.S- NARDIGANJ, DISTT.- NAWADA.
2. KRISHNA KUNDAN @ KUNDAN KUMAR @ BALAM KUMAR S/O HIRO YADAV @ JITENDRA PRASAD @ JITENDRA YADAV R/O MOTNAJE, P.S- NARDIGANJ, DISTT.- NAWADA.
3. RAJIV KUMAR S/O RAM CHANDRA PRASAD R/O VILLAGE- JAYSIN BIGHA GONDAPUR TOLA, CHUTKIYA BIGHA, P.S- MUFFASIL, DISTT.- NAWADA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Biresk Kumar Sinha  
For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      30-08-2023                      Heard the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 354, 379 and other allied Sections of the Indian Penal Code and Section 27 of Arms Act.

3. As per the FIR, the petitioners and other co-accused persons into the house of the informant and brutally assaulted the informant's side. It is alleged that the petitioner no.1 and co-accused Rajnish Kumar opened fire at the spot. It is further alleged that several ornaments were also snatched by the



accused persons.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. He submits that occurrence took place on 09.03.2023 and FIR was lodged on the same day but the FIR was sent to the learned Court below on 15.03.2023 i.e. after a delay of six days. He further submits that though two injuries are grievous in nature but there is general and omnibus allegation against the petitioners. There is no specific overt act against the petitioners. Petitioner no.1 has two criminal antecedent whereas petitioner nos.2 and 3 have no criminal antecedent.

5. Learned APP for the State opposed the prayer for anticipatory bail but fairly submitted that there is general and omnibus allegation against the petitioners.

6. Having regard to the facts and circumstances of the case as there is general and omnibus allegation against the petitioners, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, 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 the learned court below where the case is pending/Successor Court in connection with Nardiganj P.S. Case No.88 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**(Anjani Kumar Sharan, J)**

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