

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57540 of 2023

Arising Out of PS. Case No.-66 Year-2023 Thana- BELCHHI District- Patna

1. Ravi Kant Kumar @ Putul @ Rajnikant Kumar S/O Umesh Prasad R/O Village- Barah, P.S- Belchhi, Distt.- Patna.
2. Ravi Ranjan Kumar @ Ravi Ranjan S/O Umesh Prasad R/O Village- Barah, P.S- Belchhi, Distt.- Patna.
3. Ram Swarup Mahato @ Ramsroop Prasad S/O Lala Mahato R/O Village- Barah, P.S- Belchhi, Distt.- Patna.
4. Nityanand Kumar @ Mityanand Kumar S/O Nand Keshwar Mahato R/O Village- Barah, P.S- Belchhi, Distt.- Patna.
5. Maklesh Kumar S/O Nand Keshwar Mahato R/O Village- Barah, P.S- Belchhi, Distt.- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gopal Pandey, Advocate
		Mr. Prakash Ranjan Sinha, Advocate
For the State	:	Mr. Bharat Bhushan, APP
For the informant	:	Mr. Sanjeet Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 09-11-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with Belchhi P.S. Case No. 66 of 2023 dated 06.06.2023 instituted for the offence punishable under Sections 147, 149, 341, 323, 325, 307, 379, 504 of the Indian Penal Code.

3. The prosecution case, in short, is that on 28.05.2023 at about 17.00 hrs, the driver of the informant was returning from Harnaut by vehicle. When he arrived at Barah



bridge, the petitioner Ravikant Kumar along with two miscreants, who were in drunken condition, got his vehicle stopped and snatched money from his driver. On protest, they assaulted by butt of pistol on his head. For inquiry the matter, when the informant went to the house of the Ravikant @ Munna, then all petitioners along with other accused persons, armed with lathi, iron rod and pistol, assaulted him due to which he sustained injury in his head. It is also alleged that they snatched gold chain of the informant while trying to strangle him.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is further submitted that there is case and counter case between the parties. Petitioners have also lodged Belchhi P.S. Case no. 67 of 2023 against the informant's side. Learned counsel for the petitioners submits that the informant and his associates have formed a gang of criminals and they used to manage the traffic business between Barah to Harnaut and Harnaut to Barah. They do not allow any other vehicle to play on this specific road. This gang has some vehicles of their own and passengers of this route are bound to use their vehicles for going from Barah to Harnaut and from Harnaut to Barah.



Learned counsel for the petitioners submits that on 26.05.2023 the petitioner no. 2 Ravi Ranjan along with his family members were travelling in a tempo from Barah to Harnaut, which belongs to the gang of the informant. The driver of the tempo was in drunken condition, who was driving the tempo rashly and negligently. The petitioners along with other passengers sitting in the tempo objected to rash driving but the driver did not take any heed and consequently, the tempo met with an accident, in which several persons of the family of the petitioner including the mother of petitioner no. 2 sustained fracture and injury in her hand. The informant's side of this case assaulted Ravi Ranjan by means of iron rod causing bleeding injury on his head. For this, Ravi Ranjan lodged a case bearing Belchhi P.S. Case No. 67 of 2023 under Sections 307 of Indian Penal Code and its allied section and Section 27 Arms Act against the informant of this case. Learned counsel for the petitioners submits that both the sides have received injuries. All injuries are simple in nature. Lastly, it has been submitted that petitioners have no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for anticipatory bail of the petitioners.

6. Having considered the facts and circumstances of



the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioners within a period of six weeks from today, in connection with Belchhi P.S. Case No. 66 of 2023, they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M, Barh, Patna subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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