

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59898 of 2023

Arising Out of PS. Case No.-421 Year-2023 Thana- FATUA District- Patna

1. Dina Nath Prasad @ Dina Nath Singh S/O Ram Babu Prasad Village- Mahiuddinpur, Ps- Fatuha, Dist- Patna
2. Kundan Kumar Son Of Dina Nath Prasad @ Dina Nath Singh Village- Mahiuddinpur, Ps- Fatuha, Dist- Patna
3. Praduman Kumar Son Of Dina Nath Prasad @ Dina Nath Singh Village- Mahiuddinpur, Ps- Fatuha, Dist- Patna
4. Harkant Prasad @ Harikant Prasad Singh Son Of Ram Prasad Rai Village- Mahiuddinpur, Ps- Fatuha, Dist- Patna
5. Ram Janam Prasad Son Of Ram Prasad Rai Village- Mahiuddinpur, Ps- Fatuha, Dist- Patna
6. Raj Kumar Prasad S/O Naresh Prasad Village- Mahiuddinpur, Ps- Fatuha, Dist- Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kumar Choudhary, Adv
For the Opposite Party/s : Mr.Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 27-09-2023 Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

3. The Petitioners are apprehending their arrest in connection with Fatuha P.S. Case No. 421 of 2023 dated 08.06.2023 registered for the offences punishable under



Sections 323, 341, 354, 307, 379, 504, 506/34 of the Indian Penal Code.

4. As per the prosecution case, on 07.06.2023, petitioners and other co-accused persons variously armed with Khanti, Pistol, hockey stick and iron rod entered the house of the informant and started outraging the modesty of the women of his family. On being objected, all the co-accused persons started assaulting Bhagwan Prasad, Pintu Kumar and Manish Kumar. Rs. 25,000/- and golden chain, silver chain and one VIP Attache were taken away by co-accused Dinanath and Raushan Kumar and they threatened the informant and fled away.

5. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. There is case and counter case between the parties. Both the parties have sustained several injuries on the vital part of the body and they are agnates. The petitioners have clean antecedent as stated in para-3 of the bail petition.

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

7. Considering the aforesaid facts and circumstances as well as submissions of the parties, let the above named petitioners, in the event of their arrest/ surrender within six



weeks from the date of receipt of this order to the court concerned, be released on anticipatory bail on furnishing bail bonds of Rs 20,000/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of the Learned Additional Chief Judicial Magistrate, 1st Patnacity in Fatuha P.S. Case No. 421 of 2023 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Chandra Prakash Singh, J)

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