

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63288 of 2023

Arising Out of PS. Case No.-106 Year-2023 Thana- NOORSARAI District- Nalanda

1. Ravi Kumar S/O Bhushan Prasad R/O Village- Khebanbigha, Charuipar, Ps. Noorsarai, Dist.Nalanda
2. Chintu Kumar S/O Yugal Prasad R/O Village- Khebanbigha, Charuipar, Ps. Noorsarai, Dist.Nalanda
3. Monu Prasad S/O Umesh Prasad R/O Village- Khebanbigha, Charuipar, Ps. Noorsarai, Dist.Nalanda
4. Rajiv Kumar S/O Shailendra Prasad R/O Village- Khebanbigha, Charuipar, Ps. Noorsarai, Dist.Nalanda

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satya Ranjan Sinha, Advocate
For the Opposite Party/s : Mr. Arvind Kumar Pandey (App.84)

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 17-10-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with Noorsarai P.S. Case No. 106 of 2023 dated 08.03.2023 instituted for the offence punishable under Sections 147, 148, 149, 341, 323, 307, 353, 504, 506 of the Indian Penal Code and 27 of the Arms Act.

3. The prosecution case, in short, is that on 08.03.2023 at about 18.00 hrs, after getting information, the informant along with his associates reached at Sun temple



situated at village Khevanbiga and saw that some people were quarrelling and pelting stones. Thereafter, the informant with his associates settled the matter and resolved the dispute. But again they started abusing the police and pelting stones on them with intention to kill, due to which constable Md. Maksud Ansari and driver constable Md. Sarfaraz Ali sustained injury. It is alleged that they made 4-5 round firing on the police. On inquiry from the villagers and chaukidar, 20 named persons including petitioners and 50-60 unknown persons were involved in this incident.

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 present F.I.R. has been lodged against 20 named accused persons and 50-60 unknown persons. Learned counsel for the petitioners further submits that all allegation levelled against the petitioners are general and omnibus in nature. Learned counsel for the petitioners submits that the name of the petitioners has been transpired in this case only on the basis of information given by the villagers and chaukidar. Nothing has been recovered from the possession of the petitioners. Lastly, it has been submitted that petitioner nos. 1 & 4 have one criminal case against him while petitioner nos. 2



& 3 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 Noorsarai P.S. Case No. 106 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 J.M., 1st class, Nalanda at Biharsharif, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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