

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60173 of 2022

Arising Out of PS. Case No.-66 Year-2022 Thana- SARAI RANJAN District- Samastipur

1. Ankit Kumar @ Ankit Kumar Jha Son of Chandra Bhushan Jha
2. Bipin Kumar Son of Ram Subhak Mahto
3. Shashikant Rai @ Sahshi Kant Kumar Son of Jagdish Rai
4. Sonu Kumar Rai Son of Basudeo Rai
5. Sunil Kumar Rai Son of Basudeo Rai
6. Ajeet Kumar Rai @ Ajeet Rai Son of Basudeo Rai
7. Basudeo Rai Son of Amiri Rai
8. Rambilas Mahto Son of Late Dhorhai Mahto
9. Jagdish Rai Son of Rambilash Rai
10. Niraj Kumar Son of Rambilash Mahto
11. Rajnish Kumar Rai Son of Jagdish Rai
12. Sita Ram Mahto @ Siyaram Mahto Son of Late Dhorhai Mahto
13. Manikant Rai @ Mani Kant Kumar Son of Jagdish Rai
14. Shil Kumar Son of Jagbali Rai
15. Jagdish Rai Son of Late Kusheshwar Rai
16. Jagbali Rai Son of Ram Bilash Rai
17. Sukomal Kumar Pandit @ Sukomal Pandit Son of Ramanuj Pandit

all Resident of Village- Musapur, P.S- Sarairanjan (Ghatoo O.P), District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kundan Kumar, Advocate
For the Opposite Party/s : Mr.Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER



2 29-04-2023 Heard learned counsel for the parties.

2. Learned counsel for the petitioners submits that the petitioner no.1 (Ankit Kumar @ Ankit Kumar Jha) has been arrested, as such he seeks permission to withdraw application in respect of petitioner no.1.

3. Permission granted and the application in respect of petitioner no.1 is stands dismissed as withdrawn.

4. So far petitioner nos. 2 to 17 are concerned, they are apprehending their arrest in connection with Sarairanjan (Ghatoo O.P.) P.S.Case No.66 of 2022 dated 01.04.2022, registered for offences punishable under Sections 341, 323, 147, 149, 325, 307, 379, 504 & 506/34 of the Indian Penal Code.

5. Prosecution story in short is that 22 persons named in the FIR started brutally assaulting the informant with *lathi*, *danda* and *khanti*, causing injury to him.

6. Learned counsel appearing on behalf of the petitioner submits that general and omnibus allegation has been levelled against 22 accused persons named in the FIR. Out of whom 17 accused persons have filed the present bail application for grant them anticipatory bail.

7. Learned counsel appearing on behalf of the



informant submits that the specific allegation has been levelled against two accused persons namely, Ankit Kumar @ Ankit Kumar Jha (petitioner no.1) and Niraj Kumar (petitioner no.10) and the petitioners have also suppressed their criminal antecedent in the present bail application, therefore, they do not deserve to be released on bail.

8. Learned A.P.P. has vehemently opposed the prayer for bail and supported the statement made on behalf of the petitioner.

9. On perusal of FIR, it appears that the specific allegation of assault is against Ankit Kumar @ Ankit Kumar Jha (petitioner no.1) and Niraj Kumar (petitioner no.10), the prayer for anticipatory bail made by petitioner no.10 is rejected and the petitioner no.1 having been arrested is consigned.

10. Considering the allegation to be general and omnibus allegation against the remaining petitioners, namely, 2. Bipin Kumar, 3. Shashikant Rai @ Shashi Kant Kumar, 4. Sonu Kumar Rai, 5. Sunil Kumar Rai, 6. Ajeet Kumar Rai @ Ajeet Rai, 7. Basudeo Rai, 8 Rambilas Mahto, 9.Jagdish Rai, 11. Rajnish Kumar Rai, 12. Sita Ram Mahto @ Siyaram Mahto, 13. Manikant Rai @ Mani Kant Kumar, 14. Shil Kumar, 15. Jagdish Rai, 16. Jagbali Rai and and 17. Sukomal



Kumar Pandit @ Sukomal Pandit, they are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the learned court below within a period of four weeks from today on furnishing bail bond of Rs.50,000/- (Fifty Thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate III, Samastipur in connection with Sarairanjan (Ghatoo O.P.) P.S.Case No.66 of 2022 dated 01.04.2022, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure and further condition that one of the bailors must be their close relative like father or mother or son.

11. The Court below is directed to verify the criminal antecedent of the petitioners and if it is found that the petitioners are involved in some other cases as what has been stated in paragraph No.3 of the bail application, this order will automatically loose its force.

12. Accordingly, this bail application is disposed of.

(Purnendu Singh, J)

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