

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67374 of 2023

Arising Out of PS. Case No.-53 Year-2023 Thana- KALYANPUR District- Samastipur

1. RAJAN KUMAR @ RAJAN SINGH Son of Krishna Kumar Prasad Singh R/o vill - Dhobgawan, near of Apeax Public School, ward no. 4, P.S. - Kalyanpur, Distt. - Samastipur
2. Santosh Prasad Deo @ Santosh Kumar Deo Son of Virendra Prasad Dev R/o vill - Barheta, kurba Barheta, P.S. - Kalyanpur, Distt. - Samastipur
3. Shivam Kumar Son of Mritunjay Kumar Dev R/o vill and P.o. - Barheta, P.S. - Kalyanpur, Distt. - Samastipur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subodh Kumar, Advocate

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 19-10-2023 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 341, 323, 325, 307, 447, 504, 506/34 of the Indian Penal Code.

3. As per the prosecution case, on 26.02.2023 at about 10:00 P.M., when the informant reached his house after attending the ceremony of a co-villager, all the F.I.R. named accused persons including these petitioners assaulted the informant with bricks and iron rod. It is further alleged that the accused persons also threw stones on the house of the informant



and threatened him with dire consequences.

4. It is submitted on behalf of the petitioners that due to political rivalry these petitioners have falsely been implicated in this case. Allegation of assault is general and omnibus. No specific overt act is alleged against these petitioners. Petitioner Nos. 2 and 3 claim clean antecedent. Petitioner No. 1 has got one criminal antecedent in which he is on bail.

5. Learned A.P.P. for the State vehemently opposes the bail application.

6. Considering the general and omnibus allegation of assault, this anticipatory bail is allowed and it is ordered that let the above named petitioners in the event of their arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Samastipur in connection with Kalyanpur P. S. Case No. 53 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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