

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64404 of 2022

Arising Out of PS. Case No.-281 Year-2020 Thana- ISLAMPUR District- Nalanda

1. NIRAJ KUMAR Son of Anuj Prasad @ Nandu Prasad Resident of Village- Mirjan Bigha, P.S.- Islampur, District- Nalanda
2. ASHOK KUMAR @ LAWAN PRASAD @ ASHOK PRASAD Son of Late Jamuna Gope Resident of Village- Mirjan Bigha, P.S.- Islampur, District- Nalanda
3. ANUJ PRASAD @ ANUJ KUMAR @ NANDU PRASAD Son of Ram Pyare Yadav Resident of Village- Mirjan Bigha, P.S.- Islampur, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar
For the Opposite Party/s : Mr.Navin Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 16-01-2023 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 341, 323, 504, 506, 447, 354, 379 and 34 of the Indian Penal Code pending in the learned court below.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He further submits that there is general and omnibus allegation against the petitioner nos.2 & 3 and injury found upon the victim is simple in nature. He submits that there is case and counter case between the parties and both sides have sustained injuries. He further submits that petitioners have got no criminal antecedent as stated in para-3 of the bail application.

Learned APP for the State opposes for prayer for bail and



submits that there is specific allegation against the petitioner no.1 to assault Santosh Kumar by means of iron rod and injury found upon the victim is grievous in nature.

Considering the aforesaid facts and circumstances and the fact that injury found upon the victim is grievous in nature, I am not inclined to enlarge the petitioner no.1 on bail in connection with Islampur P.S. Case No. 281/2020. Accordingly, the prayer of petitioner no.1 for anticipatory bail is hereby rejected.

So far as petitioner no.2 & 3 is concerned there is general and omnibus allegation against them, let the petitioner no.2 & 3, named above, in the event of their arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Islampur P.S. Case No.281/2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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