

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71298 of 2023

Arising Out of PS. Case No.-5 Year-2023 Thana- AGIAON District- Bhojpur

1. ROHIT KUMAR @ ROHIT SINGH SON OF DIGI SINGH RESIDENT OF VILLAGE- BARAP, PS- AGION, DISTT- BHOJPUR
2. MOHIT KUMAR @ MOHIT SINGH SON OF DIGI SINGH RESIDENT OF VILLAGE- BARAP, PS- AGION, DISTT- BHOJPUR
3. RAHUL KUMAR @ RAHUL SINGH @ MITHAI SON OF DIGI SINGH RESIDENT OF VILLAGE- BARAP, PS- AGION, DISTT- BHOJPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 07-11-2023 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Agiaon (Garhani) Police Station Case No. 05 of 2023, disclosing offences under Sections 323, 341, 379, 307, 504, 34 of the Indian Penal Code.

3. As per the First Information Report, on 16.01.2023, the petitioner along with other accused persons, due to previous dispute, assaulted the informant. It has further been alleged that co-accused Chintu Singh assaulted him with iron rod on his head due to which the informant sustained head injury,



thereafter, all the accused persons assaulted him.

4. Learned Counsel for the petitioners submits that the allegation against the petitioners is general and omnibus in nature and there is specific allegation of assault against the co-accused Chintu Singh upon head of the informant by iron rod. He next submits that there is previous dispute between the parties and the present F.I.R. has been lodged as a counter-blast of Agiaon P.S. Case No. 06 of 2023 registered under Section 341, 307, 504, 323, 34 of the Indian Penal Code by the side of the petitioners.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that there is general and omnibus allegation against the petitioners and there is a previous enmity between the parties, I am inclined to grant the petitioners privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioner, Rohit Kumar @ Rohit Singh, Mohit Kumar @ Mohit Singh, Rahul Kumar @ Rahul Singh @ Mithai , in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief



Judicial Magistrate-1st, Bhojpur at Ara, in connection with
Agiaon (Garhani) Police Station Case No. 05 of 2023, subject to
the condition laid down under Section 438 (2) of the Code of
Criminal Procedure.

(Anil Kumar Sinha, J)

HarshPandey/-

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