

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69633 of 2022

Arising Out of PS. Case No.-533 Year-2021 Thana- KANTI District- Muzaffarpur

1. DILIP KUMAR Son of Lakhindra Sah R/V- Sarmaapur, P.S- Kanti, Dist- Muzaffarpur
2. Jitendra Paswan @ Jitendra Kumar Son of Baidhnath Paswan R/V- Sarmaapur, P.S- Kanti, Dist- Muzaffarpur
3. Devendra Paswan Son of Fuldev Paswan R/V- Sarmaapur, P.S- Kanti, Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar Singh, Advocate
For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 28-02-2023 Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable u/s 147, 148, 341, 323, 325, 307 and 379 of the Indian Penal Code.

As per the prosecution case, the petitioners and the co-accused persons robbed the shop of the informant and the petitioner Dilip Kumar assaulted on his head with *farsa*,



thereafter the injured were taken to the hospital for treatment.

Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. The injured Suraj Kumar sustained the injury which is simple in nature and the injury of Pramod Kumar is grievous in nature which is on non vital part of the body. There is general and omnibus allegation against the petitioners. The petitioner no. 2 and 3 have no criminal antecedent and the petitioner no 1 is accused in five other criminal cases as stated in para 3 of the bail petition.

Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioners.

Considering the aforesaid facts and circumstances as well as the injury being simple in nature, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Muzaffarpur in connection with Kanti P.S. Case No 533 of 2021, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

1. If the petitioners are found involved in similar



nature of offences in future, the prosecution will be at liberty to
move for cancellation of his bail bond.

This application stands allowed.

(Chandra Prakash Singh, J)

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