

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72528 of 2023

Arising Out of PS. Case No.-103 Year-2023 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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1. Badal Kumar Son Of Raj Kumar Akela @ Raju Das Resident Of Village-
Bhuidhara, Ps- Muffasil, Distt- Samastipur
 2. Raj Kumar Akela @ Raju Das Son Of Rajendra Das Resident Of Village-
Bhuidhara, Ps- Muffasil, Distt- Samastipur
 3. Suraj Kumar Son Of Raj Kumar Akela @ Raju Das Resident Of Village-
Bhuidhara, Ps- Muffasil, Distt- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar
For the Opposite Party/s : Mr. Anish Chandra

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 30-11-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. Learned counsel for the petitioners seeks
permission to withdraw this application with regard to petitioner
no. 2 submitting that during pendency of this application the
petitioner no. 2 has already been apprehended by the police.

3. Permission is granted.

4. Accordingly, this application with regard to
petitioner no. 2 is dismissed as withdrawn.

5. Now, this application is being heard only with
regard to petitioners no. 1 and 3.



6. Heard learned counsel for the petitioners and learned A.P.P. for the State.

7. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 149, 447, 341, 323, 307, 354, 379, 336, 324, 337, 338, 504 of the Indian Penal Code.

8. As per the prosecution case, petitioner no. 1 is said to have assaulted the informant by means of iron rod. Petitioner no. 3 is said to have assaulted one Bhavesh Kumar by means of lathi.

9. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that there is case and counter case between the parties. He further submits that the Doctor has examined the injured persons and found injury simple in nature. Petitioner no. 1 has two criminal antecedents and petitioner no. 3 has one criminal antecedent as mentioned in para-3 of this application.

10. Learned APP for the State opposes prayer for anticipatory bail.

11. Considering the facts and circumstances of the



case and the nature of the injury, let the above named petitioners no. 1 and 3, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Samastipur (Muffasil) P.S. Case No. 103 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

12. Accordingly, this application is partly allowed.

(Anjani Kumar Sharan, J)

anand/-

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