

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80301 of 2023

Arising Out of PS. Case No.-382 Year-2023 Thana- SAHPUR District- Patna

1. Lala Rai @ Lala Prasad Rai Son Of Late Bhagwan Rai Resident Of Village - Chandmari, P.S. - Shahpur, District - Patna
2. Sudhansu Kumar @ Mulayam Singh Yadav @ Mulayam Kumar Singh Son Of Raghuwar Rai Resident Of Village - Bhusaula, P.S - Ara Mufasil, District - Bhojpur
3. Amit Kumar Son Of Ganauri Rai Resident Of Village - Chaura Gopalpur, P.S. - Bihta, District - Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-12-2023

Heard learned counsel for the parties.

2. Learned counsel for the petitioners seeks permission to withdraw this application against petitioner no.1 because the police has not submitted the charge-sheet against him. Therefore, he not press this anticipatory bail application against the petitioner no.1.

3. Permission is accorded.

4. Accordingly, this application is withdrawn on behalf of the petitioner no.1.

5. Now this application is being heard only with regard to petitioner no.2 & 3 only.

6. Heard learned counsel for the petitioners and



learned APP for the State.

7. The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307, 354, 504, 506, 379 and 34 of the Indian Penal Code pending in the learned court below.

8. As per the FIR, there is allegation against the petitioners that they assaulted on the head of the informant by means of iron rod causing head injury.

9. 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 petitioners. He submits that there is case and counter case between the parties. He further submits that similarly situated other co-accused person has already been granted bail by a Co-ordinate Bench of this Court vide order dated 08.12.2023 passed in Cr. Misc. No. 77878 of 2023. He further submits that petitioners have got no criminal antecedent as stated in para-3 of the bail application.

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

11. Considering the aforesaid facts and circumstances and the fact that similarly situated other co-accused person has



already been granted bail, let the petitioner nos. 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 Shahpur P.S. Case No.382 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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