

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1852 of 2023

Arising Out of PS. Case No.-442 Year-2022 Thana- BARACHATTI District- Gaya

1. VIKASH KUMAR @ VIKASH TURI S/o Jagdish Turi R/o Village- Dowat, P.S.-Barachatti, Distt- Gaya.
2. Guddu Kumar @ Guddu Turi S/o Naresh Turi R/o Village- Dowat, P.S.-Barachatti, Distt- Gaya.
3. Prakash @ Prakash Turi @ Prakash Kumar Turi @ Prakash Kumar S/o Bhuvneshwar Turi R/o Village- Dowat, P.S.-Barachatti, Distt- Gaya.
4. Pramod Kumar S/o Bhuvneshwar Turi R/o Village- Dowat, P.S.-Barachatti, Distt- Gaya.
5. Niru Turi @ Nisha Turi S/o Bhuvneshwar Turi R/o Village- Dowat, P.S.-Barachatti, Distt- Gaya.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh
For the Opposite Party/s : Mr.Narendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-02-2023 At the outset, learned counsel for the petitioners seeks permission to withdraw this anticipatory bail application in respect of petitioners no.1, 2 and 3, namely, Vikash Kumar @ Vikash Turi, Guddu Kumar @ Guddu Turi and Prakash @ Prakash Turi @ Prakash Kumar Turi @ Prakash Kumar.

Permission is granted.

Accordingly, this anticipatory bail application is dismissed as withdrawn so far as petitioners no.1, 2 and 3 are concerned.

However, if petitioners no.1, 2 and 3, above named,



surrender before the learned court below within a period of six weeks from today and pray for regular bail, the learned court below shall consider the prayer for regular bail of the petitioners preferably on the same day without being prejudiced by this order.

Now, the instant bail application survives only against petitioners no.4 and 5, namely, Pramod Kumar and Niru Turi @ Nisha Turi.

Heard both sides.

Petitioners apprehend their arrest in connection with Barachatti P.S. Case No.442 of 2022, registered for the offences punishable under Sections 341, 342, 323, 354(B), 324, 376 and 34 of the Indian Penal Code.

Petitioners No.4 and 5, namely, Pramod Kumar and Niru Turi @ Nisha Turi alongwith other co-accused persons are said to have entered into the house of the informant and assaulted the informant and one Ramchandra Yadav. The informant and Ramchandra Yadav became unconscious. The accused persons took jewelleryes and cash Rs.5000/- from the house of the informant.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the



instant case. It is submitted that the petitioners have got no criminal antecedent as stated in paragraph-3 of the bail petition. It is further submitted that there is general and omnibus allegation against the petitioners.

Learned APP for the State opposed the prayer for grant of anticipatory bail to the petitioners.

Considering the fact that there is general and omnibus allegation against petitioners no.4 and 5, let petitioners no.4 and 5, above named, in the event of their arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bonds of Rs.25,000/- (rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Sherghati (Gaya) in connection with Barachatti P.S. Case No.442 of 2022, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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