

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7350 of 2024

Arising Out of PS. Case No.-378 Year-2018 Thana- DINARA District- Rohtas

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1. Dharmendra Kumar @ Dharmendra Singh Son of Nathuni Singh R/o vill - Katiyara, P.s. - Dinara (Bhanas O.P.), Distt. - Rohtas
 2. Jhulan Kumar @ Kunjan Singh Son of Nathuni Singh R/o vill - Katiyara, P.s. - Dinara (Bhanas O.P.), Distt. - Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashi Kant, Advocate

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 02-05-2024 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 341, 323, 384/34 of the Indian Penal Code.

3. As per the prosecution case, on the alleged date and time of the occurrence, while the informant was going on his tractor for diesel filling to Kochas, then members of Durga Puja Samiti of village Katiyara including these petitioners demanded donation from the informant and on refusal, all the accused persons assaulted him by means of knife and danda.

4. It is submitted on behalf of the petitioners that



allegation of assault against the petitioners is general and omnibus. There is no injury report on record and from perusal of the chargesheet it is manifest that Investigating Officer found case true under Section 385 of the Indian Penal Code which is bailable but the chargesheet under Section 384 of the Indian Penal Code was submitted by the Investigating Officer on the directions of superior Officers. Petitioners claim clean antecedent.

5. Considering the aforesaid facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioners in the event of their arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Bikramganj in connection with Dinara (Bhanas O.P.) P. S. Case No. 378 of 2018, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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