

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10126 of 2024

Arising Out of PS. Case No.-200 Year-2023 Thana- ISLAMPUR District- Nalanda

1. Ajeet Kumar S/o- Jawahar Prasad @ Jawahir Prasad Village- Dahaur Bigha Ps- Islampur Dist- Nalanda
2. Awadhesh Prasad son of Bhagwan Yadav Village- Dahaur Bigha Ps- Islampur Dist- Nalanda
3. Kishore Prasad son of Bhagwan Yadav Village- Dahaur Bigha Ps- Islampur Dist- Nalanda
4. Ram Babu Prasad son of Kishore Prasad Village- Dahaur Bigha Ps- Islampur Dist- Nalanda
5. Jawahar Prasad @ Jawahir Prasad son of Ramautar Prasad Village- Dahaur Bigha Ps- Islampur Dist- Nalanda
6. Lal Babu @ Lal Babu Prasad son of Ramautar Prasad Village- Dahaur Bigha Ps- Islampur Dist- Nalanda
7. Jai Ram Kumar @ Fannu Kumar son of Kishore Prasad Village- Dahaur Bigha Ps- Islampur Dist- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyamal Prakash, Advocate
For the Opposite Party/s : Mr. Anil Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 22-03-2024 1. Learned counsel for the petitioners seeks permission to withdraw the prayer for anticipatory bail with respect to petitioner no. 3 (Kishore Prasad).
2. Permission is accorded.
3. Accordingly, the prayer for anticipatory bail with respect to petitioner no. 3 is dismissed as withdrawn.
4. Heard learned counsel for the petitioners and learned A.P.P. for the State.



5. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 342, 323, 307, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

6. Learned counsel for the petitioners submits that petitioners no. 1, 2 and 4 have antecedent of one case and petitioner no. 7 has antecedent of two cases and petitioners no. 5 and 6 are persons with clean antecedent.

7. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case by the informant based on general and omnibus allegation of committing firing.

8. The informant alleges that the accused persons including the petitioners came and fired about hundred rounds after surrounding her house and were pressurizing her to take back the case instituted for murder of her father but somehow the informant managed to inform the police when the accused persons fled away.

9. Learned counsel for the petitioners submits that though there is allegation of indiscriminate firing but then no one was injured in the firing which amply demonstrates that the allegations have been alleged only to give serious colour to the



case. It is submitted, at the cost of repetition, that the allegation is general and omnibus in nature and the petitioners will not abscond rather will cooperate in the investigation.

10. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

11. Considering the submissions made by the learned counsel for the petitioners, the petitioners no. 1, 2, 4, 5, 6 and 7 above-named, in the event of their arrest or 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.10,000/- (Rupees Ten 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 Islampur P.S. Case No. 200 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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