

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8556 of 2024

Arising Out of PS. Case No.-448 Year-2023 Thana- SAHARSA SADAR District- Saharsa

1. RAMJEE KAMAT Son of Late Makhan Kamat Resident of Village-Kahara, Ward No.-14, P.S.-Saharsa Sadar, Dist.-Saharsa.
2. MADAN KAMAT Son of Sri Ramjeet Kamat Resident of Village-Kahara, Ward No.-14, P.S.-Saharsa Sadar, Dist.-Saharsa.
3. PAWAN KAMAT Son of Sri Ramjee Kamat Resident of Village-Kahara, Ward No.-14, P.S.-Saharsa Sadar, Dist.-Saharsa.
4. SAJJAN KAMAT @ SAJAN KAMAT Son of Sri Ramjee Kamat Resident of Village-Kahara, Ward No.-14, P.S.-Saharsa Sadar, Dist.-Saharsa.
5. MANISH KAMAT @ MANISH KUMAR Son of Madan Kamat Resident of Village-Kahara, Ward No.-14, P.S.-Saharsa Sadar, Dist.-Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha
For the Opposite Party/s : Mr. Mohammed Arif

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 04-03-2024 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.
2. The petitioners apprehend their arrest in connection with Saharsa Sadar P.S. Case No.448/2023, dated 08.07.2023 registered for the offence punishable under Sections 341, 323, 504, 307, 506 and 34 of the Indian Penal Code.
3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and have been falsely implicated in the present case by the informant with an



allegation that the accused persons including the petitioners assaulted by butt of gun, farsha etc. It is next submitted that from perusal of the order impugned, it would manifest that the injury suffered by the injured is simple in nature. It is thus submitted that had so many accused assaulted in the manner as it has been alleged by the informant in the F.I.R. in that event the injured would have suffered serious injury. The learned counsel next submits that petitioners will not abscond rather will co-operate in the investigation.

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

5. Considering the submissions made by the learned counsel for the petitioners, the petitioners 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 learned ADJ-2nd, Saharsa in connection with Saharsa Sadar P.S. Case No.448/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. However, it is made clear that in the event if the



Investigating Officer of the case files an application before the learned trial court bringing to his notice that the petitioners despite giving assurance to this court are not co-operating in the investigation in that event the learned trial court shall be at liberty to cancel the bail bonds of the petitioners.

(Satyavrat Verma, J)

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