

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11002 of 2024

Arising Out of PS. Case No.-511 Year-2023 Thana- RAHUI District- Nalanda

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1. Nandu Sharma @ Nandu Mistri S/O LATE SUKHADEV MISTRI R/O VILLAGE- IMAMGANJ, SOHSARAI, P.S.- RAHUI, DISTRICT- NALANDA, BIHAR
 2. ARVIND KUMAR @ RAVINDRA KUMAR SON OF NANDU SHARMA @ NANDU MISTRI R/O VILLAGE- IMAMGANJ, SOHSARAI, P.S.- RAHUI, DISTRICT- NALANDA, BIHAR

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gaurav Prakash, Adv.
For the Opposite Party/s : Mr.Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 10-04-2024 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case in connection with Rahui P.S. Case No. 511 of 2023 dated 22.11.2023 registered for the offences punishable u/ss 302, 326, 506 and 120B of the Indian Penal Code.

3. As per the prosecution case, the co-accused, Rahul Kumar killed the informant's son under conspiracy with the assistance of the petitioners and the other co-accused persons.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. The name of the petitioners has surfaced in this case only on the



basis of secret information. The specific allegation is against the co-accused, Rahul Kumar. There is general and omnibus allegation against the petitioners who are the member of mob. It is further submitted that the petitioners have no concern with the alleged offence. Similarly situated co-accused has already been granted anticipatory bail by this court vide order dated 18.03.2024 passed in Cr. Misc. No. 11266 of 2024. The petitioners have no criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioners, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned court concerned, Nalanda, Bihar Sharif in connection with Rahui P.S. Case No. 511 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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