

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15512 of 2024

Arising Out of PS. Case No.-455 Year-2023 Thana- MASHRAK District- Saran

1. Dipu Kumar S/o Lalan Prasad R/o Mashrakh Station Road and Mashrakh Takht, P.S. - Mashrakh, Dist. - Saran
2. Ratan Prasad S/o Late Mahadeo Prasad R/o Mashrakh Station Road and Mashrakh Takht, P.S. - Mashrakh, Dist. - Saran
3. Rameshwar Prasad @ Rameshar Prasad S/o Late Mahadeo Prasad R/o Mashrakh Station Road and Mashrakh Takht, P.S. - Mashrakh, Dist. - Saran
4. Binod Ram S/o Late Jamadar Ram R/o Mashrakh Taraiya Road, P.S. - Mashrakh, Dist. - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Harish Kumar, Advocate
For the Opposite Party/s	:	Mr.Raj Kishor Singh, APP
For the informant	:	Mr. Avinash Kumar Pandey, Advocate
		Mr. Adarsh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 13-03-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioners are apprehending their arrest in connection with Mashrakh P.S. Case No. 455 of 2023, registered for the offences punishable under Sections 341, 323, 324, 307, 379, 504, 34 of the Indian Penal Code.

3. As per prosecution case, petitioners and other are said to have attacked upon the informant with an intention to kill and demanded Rangdari of Rs. 50,000/-. It is alleged that co-accused Munna Prasad assaulted indiscriminately by means



of knife upon the head of the informant, as a result of which he sustained injury. It is further alleged that all the accused persons started assaulting the informant. Thereafter, Dinesh Kumar came to rescue the informant but he was also assaulted by them. It is also alleged that petitioner no.4 snatched gold chain from the neck of the informant.

4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence as alleged in the FIR and they have falsely been implicated in this case. He further submits that the allegations are general and omnibus in nature. There is no specific allegation against the petitioners, though there is specific allegation against co-accused Munna Prasad, who is said to have given knife blow upon the informant and informant sustained simple injury and injury of Dinesh Kumar is also found to be simple in nature. Petitioners bear no criminal antecedent.

5. The learned A.P.P. for the State as well as learned counsel for the informant vehemently opposed the prayer for anticipatory bail of the petitioners.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioners, argument advanced on behalf of both sides and also taking into



consideration the materials available on record, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-7, Chapra, Saran, in connection with Mashrakh P.S. Case No. 455 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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