

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18356 of 2024

Arising Out of PS. Case No.-432 Year-2023 Thana- SIRDALA District- Nawada

1. Prince Kumar SON OF ADHIN RAJBANSHI RESIDENT OF VILLAGE- PARANPURA, PS- SIRDALA, DISTT- NAWADA
2. CHHOTE KUMAR @ CHHOTE RAJBANSHI SON OF LATE GURU SAHAY RAJBANSHI RESIDENT OF VILLAGE- PARANPURA, PS- SIRDALA, DISTT- NAWADA
3. ASHISH RAJBASHI SON OF LATE JAGIR RAM RESIDENT OF VILLAGE- PARANPURA, PS- SIRDALA, DISTT- NAWADA
4. LAVKUSH KUMAR SON OF GANGA RAJBANSHI RESIDENT OF VILLAGE- PARANPURA, PS- SIRDALA, DISTT- NAWADA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar
For the Opposite Party/s : Mr.Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 15-04-2024 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners are apprehending their arrest in connection with Sirdala P.S. Case No. 432/2023 registered for the offences punishable under Sections 341, 323, 324, 308, 504, 279, 337, 338, 34 of the Indian Penal Code.

3. As per prosecution case, petitioner Prince Kumar is said to have dashed the informant's nephew by high speed of motorcycle and when the same was protested by the informant, the petitioners and others are said to have assaulted



the informant's mother-in-law and sister-in-law by lathi, danda, stone etc. It is alleged that the mother-in-law sustained injury on her hand and Susam Kumari is also assaulted by the petitioners and others.

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. The petitioners bear no criminal antecedent. He further submits that there is no specific allegation attributed against the petitioners rather allegations are general and omnibus in nature. He further submits that the injury sustained by injured Rekha Devi (informant's mother in law) is simple in nature. There is no external injury on the body of Susum Kumari and Sariyam Kumar. He further submits that in the light of the aforesaid submission, no case is made out against the petitioners under Section 307 I.P.C.

5. The learned A.P.P. for the State opposes 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 material 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 the learned Judicial Magistrate-1st Class, Nawada in connection with Sirdala P.S. Case No. 432/2023, 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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