

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23484 of 2024

Arising Out of PS. Case No.-227 Year-2023 Thana- HALSI District- Lakhisarai

1. Sunny Kumar @ Sunni Kumar S/O Surendra Ram R/O Village- Kakrauri, P.S- Halsi, Distt.- Lakhisarai.
2. Nandlal Ram S/O Juna Ram R/O Village- Kakrauri, P.S- Halsi, Distt.- Lakhisarai.
3. Surendra Ram S/O Juna Ram R/O Village- Kakrauri, P.S- Halsi, Distt.- Lakhisarai.
4. Anil Ram S/O Juna Ram R/O Village- Kakrauri, P.S- Halsi, Distt.- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amrendra Kumar, Advocate

For the Opposite Party/s : Mr.Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 22-04-2024 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Halsi P.S. Case No. 227 of 2023 dated 23.08.2023 registered for the offence punishable u/ss 147, 149, 341, 323, 324, 307, 379, 427, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, when the informant was returning to his house, the co-accused Shambhu Kumar assaulted on the head of the informant with *khanti*, causing



injury and the co-accused Kunal Kumar destroyed the mobile phone and snatched golden *chakti*. Thereafter, the petitioners, namely, Sunny Kumar, Surendra Ram and Nandlal Ram and the co-accused person, Sachin assaulted the informant on his back causing injury. In the meantime, the co-accused Amarjit Kumar and Kundan Kumar assaulted the informant with hockey stick, causing injury. Further, the petitioners, Surendra Ram and Nandlal Ral fired from their pistol and fled away.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. The petitioners have no criminal antecedent as stated in para 3 of the bail petition. As per Annexure-2B, the injuries are simple in nature caused by hard and blunt substance. Learned counsel has further submitted that no one sustained firearm injuries.

5. Learned A.P.P. for the State has vehemently opposed the prayer of anticipatory bail of the petitioners by submitting that there is specific allegation of firing against the petitioners, Surendra Ram and Nandlal Ram.

6. Considering the aforesaid facts and circumstances of the case as well as the injuries being simple in nature, let the above named petitioners, in the event of their arrest/surrender



within a period of six weeks from today, be enlarged on anticipatory 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 learned Court concerned, Lakhisarai in connection with Halsi P.S. Case No. 227 of 2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure, with further condition:-

(i). The petitioners are directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioners are liable to be cancelled.

7. This application stands allowed.

(Chandra Prakash Singh, J)

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