

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30156 of 2024

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

1. Shambhu Ram @ Shambhu Kumar S/o Anil Ram R/o vill - Kakrauri, P.s. - Halsi, Distt. - Lakhisarai
2. Amarjeet Kumar S/o Subodh Ram R/o vill - Kakrauri, P.s. - Halsi, Distt. - Lakhisarai
3. Abhishek Kumar S/o Rajaram Ram R/o vill - Kakrauri, P.s. - Halsi, Distt. - Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amrendra Kumar, Adv.
For the Opposite Party/s : Mr.Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 02-08-2024 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 petitioner 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 co-accused, namely, Sunny Kumar, Sachin Kumar, Surendra Ram and Nandlal Ram assaulted the informant on his back causing injury. In the meantime, the petitioner, Amarjit Kumar and the co-accused, Kundan Kumar assaulted the informant with hockey stick, causing injury. Further, the co-accused, 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 specific allegation of firing is against the co-accused, Surendra Ram and Nandlal Ram. The co-accused persons have already been granted regular bail by this court vide order dated 22.04.2024 passed in Cr. Misc. No. 23484 of 2024. As per Annexure-2, the injuries are simple in nature caused by hard and blunt substance. Learned counsel has further submitted that no one sustained firearm injuries. The petitioner no. 1 had no intention to cause death of the informant. 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 prayer of anticipatory bail of the petitioners.

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.

7. This application stands allowed.

(Chandra Prakash Singh, J)

Gautam/-

U		T	
---	--	---	--

