

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32639 of 2024

Arising Out of PS. Case No.-842 Year-2023 Thana- HILSA District- Nalanda

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1. Kaju Kumar SON OF SITA RAM YADAV RESIDENT OF VILLAGE- SARHADIYAPAR, PS- HILSA, DIST- NALANDA
 2. DURGA KUMAR SON OF SITA RAM YADAV RESIDENT OF VILLAGE- SARHADIYAPAR, PS- HILSA, DIST- NALANDA
 3. LALLU KUMAR SON OF SITA RAM YADAV RESIDENT OF VILLAGE- SARHADIYAPAR, PS- HILSA, DIST- NALANDA
 4. RAMBACHAN PRASAD @ RAMBACHAN KUMAR SON OF SITA RAM YADAV RESIDENT OF VILLAGE- SARHADIYAPAR, PS- HILSA, DIST- NALANDA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shambhu Sharan, Advocate

For the Opposite Party/s : Mr. Vinod Shanker Modi, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 23-07-2024 1. Learned counsel for the petitioners seeks permission to withdraw the anticipatory bail application with respect to the petitioner no. 2 Durga Kumar.
2. Permission is accorded.
3. Accordingly, the anticipatory bail application with respect to the petitioner no. 2 is dismissed as withdrawn.
4. Heard learned counsel for the petitioners no. 1, 3 and 4 and learned A.P.P. for the State.
5. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 149, 341, 342, 307, 379 and 506 of the Indian Penal Code.



6. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and the informant alleges that the accused persons including the petitioners assaulted his brother who was taken to hospital for treatment from where he was referred to a higher centre, accordingly was brought to Om Patliputra Emergency Hospital, Patna where wife of his brother instituted an FIR at Agamkuan police station on 13.02.2023. Thereafter, the accused persons are threatening the wife of the injured i.e. brother of the informant of dire consequence.

7. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case by the informant. It is further submitted that the FIR was instituted after a delay of 15 days of the occurrence. It is next submitted that for the same cause of occurrence, the wife of the injured has already instituted an FIR at Agamkuan police station which manifests from the FIR itself. It is also submitted that in sum and substance, the present FIR is nothing but a second FIR with respect to the same occurrence.

8. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners no. 1, 3 and 4.

9. Considering the submissions made by the learned



counsel for the petitioners, the petitioners no. 1, 3 and 4 above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.1,000/- (Rupees One Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Hilsa P.S. Case No. 842 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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