

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31243 of 2024

Arising Out of PS. Case No.-127 Year-2023 Thana- CHIKSAUR District- Nalanda

1. Bighar Prasad @ Bighan @ Bidhar Prasad Son Of Fudu Prasad Resident Of Village- Khanpura, Ps- Chiksoura, District-Nalanda
2. Sintu Kumar Son Of Bighar Prasad @ Bighan @ Bidhar Prasad Resident Of Village- Khanpura, Ps- Chiksoura, District- Nalanda
3. Upendra Kumar Son Of Anufi Gope Resident Of Village- Khanpura, Ps- Chiksoura, District-Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh, Advocate

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 22-05-2024 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners have preferred this application for grant of anticipatory bail in connection with Chiksaura P.S. Case No. 127 of 2023, dated 22.10.2023, for the offences punishable under Sections 147, 341, 323, 504, 506 of the Indian Penal Code and section 27 of the Arms Act.

3. As per prosecution case, the petitioners and other co-accused persons holding pistol, *danda* and *khanti* are alleged to have surrounded the informant and abused. On being protested, they started assaulting the informant with butt of the



pistol causing injury on the head and blood started oozing out. They also assaulted the informant with *danda*, due to which the informant raised alarm then villagers came there then they fled away with resorting firing. The accused persons threatened of dire consequences.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. The petitioners have one criminal antecedent as stated in para 3 of the bail petition. There is case and counter case between both the parties. The other co-accused persons have already been granted bail by this court *vide* order dated 20.05.2024 passed in Cr. Misc. No. 30168/2024. There is no specific allegation of assault against the petitioners rather the allegation is general and omnibus in nature. As per impugned order, the nature of injury is found to be simple in nature.

5. Learned APP for the State has vehemently opposed the prayer for anticipatory bail of the petitioners.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioners, 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 the learned court concerned, Hilsa, Nalanda in connection with Chiksaura P.S. Case No. 127 of 2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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