

Arising Out of PS. Case No.-102 Year-2023 Thana- PANDARAK District- Patna

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1. Rakesh Kumar @ Dabloo Singh SON OF Uday Narayan Sharma Village- Pandarak, P.S.- Pandarak, District- Patna
2. VIKASH KUMAR SON OF UDAY NARAYAN SHARMA Village- Pandarak, P.S.- Pandarak, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Singh

For the Opposite Party/s : Mr.Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-07-2024 1. Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 353, 307, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

3. Learned counsel for the petitioners submits that the petitioners have antecedent of two cases and have been falsely implicated by the informant. It is next submitted that the informant (*chowkidar*) alleges that on 17-5-2023, while he was on duty at village-Mamrakhabad, he saw petitioners along with other named accused and 20-25 unknown accused campaigning



for election near Durga Sthan, thereafter another group of named accused persons arrived variously armed and both the groups started attacking each other and when the informant tried to pacify, he was pushed and abused and he fell on the ground and the accused kept on fighting and firing.

4. The learned counsel submits that petitioners have been falsely implicated in the instant case. It is next submitted that though there is an allegation of firing but then no one was injured nor any cartridge was recovered from the place of occurrence. It is also submitted that petitioners will not abscond rather will cooperate in the investigation.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, 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 bonds of Rs. 25,000/- (Rupees Twenty-five Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Pandarak P.S. Case No. 102 of 2023 subject to the conditions as



laid down under Section 438 (2) of the Cr.P.C.

7. However, it is made clear that in the event, if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioners, despite giving assurance to this Court, are not cooperating in the investigation in that event the learned trial court shall be at liberty to forthwith cancel the bail bonds of the petitioners and to take all coercive steps to ensure that the petitioners are behind bars.

8. Let a copy of this order be sent to the concerned police station through the learned trial court.

(Satyavrat Verma, J)

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