

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34997 of 2024

Arising Out of PS. Case No.-328 Year-2023 Thana- SILAO District- Nalanda

Pankaj Kumar, Son of Late Jageshwar Singh, Resident of Village- Begampur,
P.S.- Nalanda, District - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Shankar Pathak, Advocate

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 30-05-2024 Heard Mr. Ravi Shankar Pathak, learned Advocate for
the petitioner and the learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Silao P.S. Case No. 328 of 2023 registered for the offences punishable under Sections 341, 323, 307, 504, 506/34 of the Indian Penal Code.

3. Allegedly while the informant was going to Nalanda on his scooter, in the meantime, all the F.I.R. named accused persons, including the petitioner, intercepted him and assaulted by means of *Lathi* and *Danda* causing injury over his head.

4. Learned Advocate for the petitioner contended that the present case is nothing but a counter blast to Nalanda P.S. case no. 268 of 2023 instituted by the petitioner against the



informant and his family members. Referring to the F.I.R., he further contended that omnibus nature of allegation has been levelled against all the accused persons. Moreover, the doctor examined the informant and found all the injuries are simple in nature. It is further contended that one of the co-accused, having similar allegation, has been allowed the privilege of anticipatory bail by the court below itself (Annexure-P/4).

5. On the other hand, learned APP for the State opposes the bail application and submits that the petitioner is facing two criminal prosecution, as has been mentioned in para.3 of the bail petition.

6. Regard being had to the submissions made on behalf of the parties and considering the omnibus nature of allegation and the fact that co-accused, having similar allegation, has been allowed the privilege of anticipatory bail by the court below itself, coupled with the fact that there is previous enmity between the parties, let the petitioner, named above, in the event of his arrest or surrender before the court below within four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial



Magistrate, Nalanda at Bihar Sharif in connection with Silao
P.S. Case No. 328 of 2023, subject to the condition as laid down
under Section 438 (2) of the Cr.P.C. with the further condition
that one of the bailors shall be the own/close relative of the
petitioner.

(Harish Kumar, J)

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