

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34932 of 2024

Arising Out of PS. Case No.-507 Year-2023 Thana- MINAPUR District- Muzaffarpur

1. Anil Kumar SON OF Gauri Shankar Ram VILLAGE- BAHWAL BAZAR, PS- MINAPUR, DIST- MUZAFFARPUR
2. PANKAJ RAM @ PANKAJ KUMAR SON OF GAURI SHANKAR RAM VILLAGE- BAHWAL BAZAR, PS- MINAPUR, DIST- MUZAFFARPUR
3. ARUN RAM @ ARUN KUMAR SON OF GAURI SHANKAR RAM VILLAGE- BAHWAL BAZAR, PS- MINAPUR, DIST- MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hari Kishore Thakur, Advocate
For the Opposite Party/s : Mr. Satya Nand Shukla, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 31-07-2024 Heard Mr. Hari Kishore Thakur, learned Counsel for
the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest in connection with Minapur P.S. Case No. 507 of 2023 for the offence registered under sections 341, 323, 324, 325, 307, 302, 504 and 34 of the Indian Penal Code lodged on 27.11.2023 by the informant, Omprakash Kumar.

3. As per the prosecution story, the informant lodged the F.I.R. in the S.K. Medical College and Hospital that due to old dispute, the named accused persons armed variously came and after abuse started assaulting his father, Kishore Ram



(deceased). The allegation against Shyam Kumar is of assaulting with sword while Anil Kumar (petitioner no. 1) assaulted with iron rod on his head which ultimately proved fatal. Accordingly, the F.I.R.

4. Learned Counsel for the petitioners submit that it was a minor dispute which resulted into the unfortunate act. So far as the petitioner nos. 2 and 3 are concerned, save and except that their names have cropped up in the list of accused, no role has been assigned.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail and submits that all of them were armed variously and petitioner no. 1, Anil Kumar gave the fatal blow on the head of the father of the informant.

6. Taking into account the aforesaid facts so far as the case of petitioner no. 1, Anil Kumar is concerned, the same is rejected.

7. Regarding petitioner no. 2, Pankaj Ram @ Pankaj Kumar and petitioner no. 3, Arun Ram @ Arun Kumar are concerned, they are only in the list of accused without any allegation incorporated, none have criminal antecedent and are ready to face the trial, this Court is inclined to extend them privilege of anticipatory bail.



8. Let the petitioner no. 2, Pankaj Ram @ Pankaj Kumar and petitioner no. 3, Arun Ram @ Arun Kumar in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned J.M.-1st Class, Muzaffarpur, East in connection with Minapur P.S. Case No. 507 of 2023 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioner no. 2, Pankaj Ram @ Pankaj Kumar and petitioner no. 3, Arun Ram @ Arun Kumar, who shall provide official document to show their *bona fide*;

(ii) the petitioner no. 2, Pankaj Ram @ Pankaj Kumar and petitioner no. 3, Arun Ram @ Arun Kumar shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial court itself;

(iii) the petitioner no. 2, Pankaj Ram @ Pankaj Kumar and petitioner no. 3, Arun Ram @ Arun Kumar shall appear before the concerned police station every fortnight for next six months to mark attendance;



(iv) the petitioner no. 2, Pankaj Ram @ Pankaj Kumar and petitioner no. 3, Arun Ram @ Arun Kumar shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of their bail bonds;

(v) the petitioner no. 2, Pankaj Ram @ Pankaj Kumar and petitioner no. 3, Arun Ram @ Arun Kumar shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

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