

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38436 of 2024

Arising Out of PS. Case No.-577 Year-2022 Thana- SHAHPUR PATORI District- Samastipur

1. Rohit Kumar Son of Triloki Ray R/O Vill.- Uttri Dhamaun, P.S. Shahpur Patori, Dist.- Samastipur
2. Rahul Kumar Son of Triloki Ray R/O Vill.- Uttri Dhamaun, P.S. Shahpur Patori, Dist.- Samastipur

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dilip Kumar Roy, Advocate
For the Opposite Party/s : Ms. Nirmala Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 21-08-2024 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 455, 341, 323, 504, 427/34 of the Indian Penal Code.

3. As per F.I.R., it is alleged that these petitioners along with one named accused and 3-4 unknown persons, armed with *lathi*, *farsa* and country made pistol, started to abuse informant and on protest, petitioner No. 2 and co-accused Ragini Kumari set the bullet motorcycle of informant on fire.

4. Learned counsel for the petitioners submits that petitioners have falsely been implicated in this case due to old enmity. Present case is counter blast of C.R. No. 232 of 2022 which was filed by co-accused Ragini Kumari under Sections



323, 498A, 379, 313, 406, 420, 494/34 of the Indian Penal Code against the informant and others and only with a view to save his skin from the aforesaid case, this false and concocted case has been lodged against the petitioners. Allegation against the petitioners is general and omnibus. Co-accused Ragini Kumari is wife of *dewar* of informant and there is matrimonial dispute between the parties. Petitioners have got clean antecedent.

5. Learned A.P.P. for the State vehemently opposed the bail application.

6. Considering the backdrop of the case and relation between the parties, this anticipatory bail is allowed and it is ordered that let the above named petitioners in the event of their arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st Class, Samastipur in connection with Shahpur Patori P. S. Case No. 577 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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