

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47322 of 2024

Arising Out of PS. Case No.-373 Year-2015 Thana- MASHRAK District- Saran

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1. Sanjay Kumar @ Sanjay Gupta Son Of Satyanarayan Gupta Resident Of Village - Mashrak Takht Sativarti, P.S. - Mashrak, District - Saran
 2. Saroj Gupta Son Of Satyanarayan Gupta Resident Of Village - Mashrak Takht Sativarti, P.S. - Mashrak, District - Saran

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Rajnish Kumar Singh Son Of Ram Babu Singh Resident Of Village - Mashrak Purab Tola, P.S. - Mashrak, District - Saran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harsh Singh
For the Opposite Party/s : Mr. Arun Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 21-08-2024 1. Heard learned counsel for the petitioners, learned A.P.P. for the State and the learned counsel appearing on behalf of the informant.

2. The defects, as pointed out by the office, are ignored.

3. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 323, 324, 379, 504 and 506 of the Indian Penal Code.

4. Learned counsel for the petitioners submits that police, after threadbare investigation, came to a considered conclusion that petitioners are innocent and thus submitted final form exonerating them of the allegation, but the learned Magistrate in a mechanical manner differing with the police report took cognizance, as such, petitioners apprehend arrest. It is next submitted that when one Investigating Agency, based on a



threadbare investigation, came to a considered conclusion that petitioners are innocent whether it would be prudent for the Court to send the petitioners to jail based on an order of cognizance which came to be taken based on the same investigation report which exonerated the petitioners.

5. Learned A.P.P. for the State and the learned counsel appearing on behalf of the informant oppose 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. 10,000/- (Rupees Ten 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 Mashrak P.S. Case No. 373 of 2015 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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