

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50439 of 2024

Arising Out of PS. Case No.-78 Year-2023 Thana- NADI P.S. District- Patna

1. Chandan Kumar Son Of Sri Mahesh Rai Resident Of Jethuli, P.S. - Nadi, District - Patna
2. Pavan Kumar Son Of Late Sanjna Gope Resident Of Jethuli, P.S. - Nadi, District - Patna
3. Gaurav Kumar Son Of Sri Pramod Gope Resident Of Jethuli, P.S. - Nadi, District - Patna
4. Sanni Kumar Son Of Sri Babu Gope Resident Of Jethuli, P.S. - Nadi, District - Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhimanyu Deo, Adv.
For the Opposite Party/s : Mr. Umesh Lal Verma, APP
Mr. Jitendra Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 29-11-2024 Learned counsel for the petitioners seeks permission to withdraw this anticipatory bail petition so far as petitioner no. 1 Chandan Kumar is concerned, since during pendency of this bail petition, he has been arrested.

2. Permission is granted.

3. The anticipatory bail petition, in respect of petitioner no. 1, stands dismissed as withdrawn.

4. The petitioners (petitioner no. 2 to 4) apprehend their arrest in a case registered for the offence under Sections 147, 148, 149, 342, 120B, 307, 337, 448, 436, 395, 354, 504,



506 & 427 of the Indian Penal Code and Section 27 of the Arms Act.

5. As per the prosecution case, on the alleged date and time of occurrence, all the 79 F.I.R. named accused persons including these petitioners and other 200 unknown persons armed with rifles and guns, came to the place of occurrence and started pelting stones on the Panchayat Office and made indiscriminate firing upon them, as a result of which, some of the co- villagers sustained fire-arm injuries. It is further alleged that co-accused Dharmendra Kumar set the house of informant on fire and co-accused Sandeep Kumar is alleged to have looted licensee gun.

6. Learned counsel for the petitioners submits that specific accusation of setting the house of informant is against co-accused Dharmendra Kumar and co-accused Sandeep Kumar is said to have looted license gun. So far as these petitioners are concerned, there is no specific allegation against these petitioners. As a matter of fact, petitioners side lodged Nadi PS. Case No. 76/23 against the husband of the informant of the present case and others for killing five relatives of the petitioners and in retaliation, the present false and concocted case has been lodged against these petitioners. Two similarly



situated co-accused have already been granted anticipatory bail by this Court, vide order dated 09.09.2024 passed in Cr.Misc. No. 43060 of 2024.

7. Learned A.P.P. for the State and learned counsel for the informant opposed the bail petition.

8. Considering the aforesaid facts and circumstances, let petitioner no. 2, 3 and 4, as named above, in the event of their arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Patnacity, Patna in connection with Nadi P.S. Case No. 78 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

9. This application is, accordingly, disposed of.

(Prabhat Kumar Singh, J)

anay

U		T	
---	--	---	--

