

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42065 of 2024

Arising Out of PS. Case No.-166 Year-2024 Thana- BRAHMPUR District- Buxar

1. Shubham Singh Son Of Late Krishna Bihari Singh

2. Shani Singh @ Maluk Singh Son Of Sharda Singh
All Resident Of Village - Sakinan (ARAK), P.S. - Krishnabraham, District - Buxar

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s :
For the Opposite Party/s :

Mr. Anand Kumar Ojha, Advocate
Mr. Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

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25-07-2024

1. Heard learned counsel for the petitioners as well as learned APP for the State.

2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 341, 323, 325, 307, 379, 504, 506 and 34 of the IPC in connection with Brahampur (Krishnabraham) P.S. Case No.166 of 2024.

3. The learned counsel for the petitioners submit that petitioner no.1 has antecedent of one case and petitioner no.2 is a person with clean antecedent and the informant alleges that on 25.03.2024 while his son was dancing with local boys on occasion of Holi Milan when the accused persons including the petitioners came started scuffling which his son and when his



son went to drink water, thereafter all the accused rushed towards him and assaulted him by lathi and rod and snatched his golden chain worth Rs.50,000/-.

4. The learned counsel submits that petitioners have been falsely implicated in the instant case. It is also submitted that allegation of assault is general and omnibus in nature and from perusal of Annexure-2 to the anticipatory bail application, it would manifest that even the injuries suffered by the injured is simple in nature, which amply demonstrates that petitioners never had any intention of committing a serious occurrence, rather on occasion of Holi Milan an altercation had taken place in which both side had assaulted each other.

5. The learned APP opposes the anticipatory bail application.

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 Court below within a period of six weeks, are directed to be released on anticipatory bail on their furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Buxar in connection with Brahampur



(Krishnabraham) P.S. Case No.166 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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