

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43133 of 2024

Arising Out of PS. Case No.-119 Year-2023 Thana- DHANSOI District- Buxar

1. Kamlesh Singh @ Golu Kumar, Son of Santosh Singh, Resident of Vill- Dhansoi, P.S.- Dhansoi, District- Buxar.
2. Himansu Sharma, Son of Manoj Sharma, Resident of Vill- Dhansoi, P.S.- Dhansoi, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satyapal Singh, Advocate

For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 21-09-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehends their arrest in connection with Dhansoi P.S. Case No. 119 of 2023 instituted under Sections 147, 148, 149, 341, 323, 307, 504 & 506 of the Indian Penal Code.

3. As per the prosecution case, the informant along with his younger brother were going to coaching and in the way, 10 to 15 boys were standing with rod, hockey, pistol and chain fighter in their hand assaulted the informant and his brother. The allegation against the co-accused Amit Gupta is that he has assaulted the brother of the informant with knife causing injury



upon his neck. The allegation against the petitioner no. 1 is that he has assaulted the informant by butt of pistol on his head whereas petitioner no. 2 assaulted the informant by means of pointed rod on his hand.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He further submits that there is no reason assigned in the FIR as to why the said occurrence has taken place. The petitioners are young boys of aged 19 years and 20 years, respectively and due to some altercation between the students, this case has been filed by the informant just to harass the petitioners. The injury report of the injured does not corroborate the allegation of the informant. The petitioners have no criminal antecedent and they undertake to co-operate in the investigation and the trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two



sureties of the like amount to each to the satisfaction of the learned Chief Judicial Magistrate, Buxar / Concerned Trial Court in connection with Dhansoi P.S. Case No. 119 of 2023 , subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

ashishkr/-

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

