

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42727 of 2024

Arising Out of PS. Case No.-484 Year-2023 Thana- KHUSRUPUR District- Patna

KUNDAN KUMAR SON OF NANDE SAO RESIDENT OF VILLAGE-
GOVINDPUR, P.S.- KHUSRUPUR, DISTRICT -PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Satish Chandra, Advocate
For the State	:	Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 18-09-2024 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 341, 323, 325, 307, 379, 504, 506 and 34 of the Indian Penal Code.

3. As per prosecution case, on the alleged date and time of occurrence, it is alleged that this petitioner, along with co-accused *Chandan Kumar*, assaulted son of informant.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is innocent and has falsely been implicated in this case. Allegation of assault is general and omnibus. There is no specific accusation of overt act against this petitioner. Co-accused *Chandan Kumar* has already been granted the privilege of anticipatory bail by the learned trial court. It is further submitted that F.I.R. has been lodged after



delay of 4 days and there is no plausible explanation for the same. As a matter of fact, sister of one Laxam Sao abducted son of Raja Thakur, for which one Fanu Sao has instituted a case bearing Khusrupur P.S. Case No. 394 of 2023 for the offences punishable under Section 363 of the Indian Penal Code and only with a view to save their skin from the aforesaid case, this false and concocted case has been lodged.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the aforesaid facts and circumstances, nature of accusation, delay in lodging of the F.I.R. and the fact that similarly situated co-accused, namely *Chandan Kumar*, having similar allegations, has already been granted the privilege of anticipatory bail by the learned trial court, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st, Patna City, Patna, in connection with Khusrupur P.S. Case No. 484 of



2023, subject to condition as laid down under Section 438(2) of
the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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