

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42243 of 2024

Arising Out of PS. Case No.-77 Year-2024 Thana- ALOULI District- Khagaria

1. Ramkrishn Kumar S/o Rajgir Yadav R/o Village-Sanjhauli, P.S. Alauli, Distt.-Khagaria
2. Sanni Kumar S/o Pawan Ray R/o Village-Sanjhauli, P.S. Alauli, Distt.-Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh, Advocate
For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 10-07-2024 Heard the parties.

2. The petitioners are apprehending their arrest in connection with Alauli P.S. Case No. 77 of 2024 for the offence under Sections 341, 323, 504 and 506 of the I.P.C. and Section 27 of the Arms Act lodged on 02.03.2024 by the informant, Mulayam Singh Yadav.

3. As per the prosecution story, the informant alleged that when he was returning from a party and reached near hospital crossing, the accused person were found beating another boy, as he tried to intervene, petitioner No. 2, Sanni Kumar after using choicest abuse, assaulted. As anyhow, he dialed 112, the police arrived, the accused persons escaped but not before the petitioner No. 2 again threatening, this followed the FIR.

4. Learned counsel for the petitioners submit that



exaggerated FIR is there, no such firing took place and now they have settled the matter.

5. Learned APP on the other hand submits that so far as the petitioner No. 2 is concerned, allegation against him is serious and he has criminal antecedent.

6. Taking into account the aforesaid facts so far as the anticipatory bail application of the petitioner No. 2, Sanni Kumar is concerned, it is rejected.

7. Regarding petitioner No. 1, Ramkrishn Kumar, in view of the fact that omnibus allegation is there, his case is different from that of Sanni Kumar and do not have criminal antecedent, this Court is inclined to extend him privilege of anticipatory bail with conditions.

8. If the petitioner No. 2 (Sanni Kumar) surrenders within four weeks from today, the Court concerned shall take up the bail petition and dispose it of preferably on the same day.

9. Let the petitioner No. 1, Ramkrishn Kumar be released on bail in the event of his arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with Alauli P.S. Case No. 77 of 2024 subject to the conditions as laid down under Section 438(2)



of the Cr.P.C.

(i) one of the bailor should be the family member/relative of the petitioner No. 1, Ramkrishn Kumar who shall provide official document to show their bona fide;

(ii) the petitioner No. 1, Ramkrishn Kumar shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioner No. 1, Ramkrishn Kumar shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner No. 1, Ramkrishn Kumar shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner No. 1, Ramkrishn Kumar shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

Adnan/-

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