

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46571 of 2024

Arising Out of PS. Case No.-64 Year-2024 Thana- KUDHNI District- Muzaffarpur

1.

Bawan Kumar @ Bawan Singh @ Bawan Kumar Singh @ Baban Kumar @ Baban Singh @ Baban Kumar Singh Late Bashit Singh @ Late Washit Narayan Singh @ Late Bashisth Narain Singh Village- Kishanpur Madhuban Ps- Kudhani Dist- Muzaffarpur
2.

Nawneet Kumar @ Navnit Kumar @ Vittu @ Vittu Kumar @ Vittu Kumar Singh son of Bawan Kumar @ Bawan Singh @ Bawan Kumar Singh @ Baban Kumar @ Baban Singh @ Baban Kumar Singh Village- Kishanpur Madhuban Ps- Kudhani Dist- Muzaffarpur
3.

Suman Kumar @ Suman Kumar Singh son of Late Bashit Singh @ Late Washit Narayan Singh Village- Kishanpur Madhuban Ps- Kudhani Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar S.K.
For the Opposite Party/s : Mr.Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2

18-07-2024

1.

Heard learned counsel for the petitioners, learned A.P.P. for the State and learned counsel appearing on behalf of the Informant.

2.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307, 379 and 34 of the Indian Penal Code.

3.

Learned counsel for the petitioners submits that Petitioner No. 1 has antecedent of three cases, Petitioner No. 2 has antecedent of five cases and Petitioner No. 3 has antecedent of two cases. It is next submitted that petitioners and informant are known



to each other and the informant alleges that on 12-2-2024 at 9:00 PM, while he was returning to his house, when he was intercepted by the accused persons including the petitioners and one Rajnish Kumar took out his country-made pistol pointing towards his head and thereafter Bawan Kumar started searching the pocket of the informant and when he protested, Rajnish assaulted him by country-made pistol on his head and eyes causing injuries, thereafter Bawan took out Rs. 22,000/- from the pocket of the informant, further Bawan asked the other accused to kill the informant on which Nawneet assaulted him with hockey stick and when informant tried to raise alarm, Vittu took out a pistol from his waist and forced the same inside his mouth.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case. It is next submitted that in order to give a serious colour to the occurrence, it has been falsely alleged that different accused persons were carrying arms and threatening the informant. It is next submitted that specific allegation of assaulting him on his head and eyes is against Rajnish and as far as allegation of snatching Rs. 22,000/- is alleged, the same is ornamental in nature. It is further submitted that from side of the petitioners also Kudhani PS. Case No. 65 of 2024 has been instituted against the informant and his side. It is further submitted that no doubt, there



are antecedents of the petitioners but then from perusal of order impugned itself it would manifest that in four of the cases either compromise or final form has been submitted.

5. Learned A.P.P. for the State and learned counsel appearing on behalf of the informant oppose the prayer for anticipatory bail of the petitioners, but then are not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioners that allegation of assault is specific against Rajnish.

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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Kudhani (Fakuli O.P) P.S. Case No. 64 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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