

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42835 of 2024

Arising Out of PS. Case No.-71 Year-2023 Thana- KARAI PARSURAI District- Nalanda

1. Lal Babu Bind son of Doman Bind Village- Fulli Par Ps- karai Parsurai Dist- Nalanda
2. Nepali Bind son of Dularchand Bind Village- Fulli Par Ps- karai Parsurai Dist- Nalanda
3. Anil Bind son of Nepali Bind Village- Fulli Par Ps- karai Parsurai Dist- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tej Narayan Singh

For the Opposite Party/s : Mr. Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 04-09-2024 1. Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 147, 149, 341, 342, 323, 325, 307, 379 of the Indian Penal Code.

3. The learned counsel for the petitioners seeks permission to withdraw the anticipatory bail application with respect to petitioner no.2, namely, Nepali Bind.

4. Permission is accorded.

5. It is next submitted that petitioners are persons with clean antecedent and have been falsely implicated in the instant



case by the informant. It is further submitted that the accused persons including the petitioners had an altercation with the informant as he was indulging in selling liquor, on account of altercation, both sides assaulted each other and the mother of the informant fell down and became unconscious and during the course of treatment died. It is also submitted that altogether 12 named accused persons have been implicated in the instant case with general and omnibus allegation of assault. It is next submitted that there is no specific allegation that who assaulted the mother of the informant. It is further submitted that the mother of the informant suffered only two injuries, hence, it is submitted that had 12 accused assaulted her whether the deceased would have suffered only two injuries or multiple injuries.

6. Learned A.P.P. opposes the prayer for anticipatory bail of the petitioners and submits that the mother of the informant has died and if the privilege of anticipatory bail is granted to the petitioners, in that event, the petitioners may abscond, on which, the learned counsel appearing on behalf of the petitioners submits that the petitioners will not abscond rather will co-operate in the investigation.

7. 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 from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned trial court where the case is pending/successor court in connection with Karai Parsurai P.S. Case No.71/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned trial court bringing to his notice that the petitioners despite giving assurance to this court are not co-operating in the investigation in that event the learned trial court shall be at liberty to cancel the bail bonds of the petitioners forthwith.

9. Let a copy of this order be sent to the concerned P.S. through the learned trial court.

(Satyavrat Verma, J)

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