

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47725 of 2024

Arising Out of PS. Case No.-208 Year-2024 Thana- CHANDI District- Nalanda

1. Padarath Prasad @ Padarath Prasad Yadav Son of Late Ram Bilash Prasad R/O Vill.- Gopi Bigha, P.S.- Chandi, Dist.- Nalanda
2. Jitendra Prasad Son of Mr. Nande Yadav R/O Vill.- Gopi Bigha, P.S.- Chandi, Dist.- Nalanda
3. Rocky Kumar Son of Mr. Nande Yadav R/O Vill.- Gopi Bigha, P.S.- Chandi, Dist.- Nalanda
4. Nande Yadav Son of Late Ram Bilash Prasad R/O Vill.- Gopi Bigha, P.S.- Chandi, Dist.- Nalanda
5. Kajal Kumar @ Pankaj Kumar Son of Mr. Padaradh Prasad R/O Vill.- Gopi Bigha, P.S.- Chandi, Dist.- Nalanda

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Advocate Ms. Vaishnavi Singh, Advocate
For the State	:	Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

4 26-10-2024 Heard Ld. counsel for the petitioners and Ld. APP for the State.

2. The present petition has been filed on behalf of the petitioners, apprehending their arrest, in connection with Chandi P.S. Case No. 208 of 2024, dated 20.04.2024 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 379, 354, 307, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, there is allegation of



assault causing injury to the informant's side.

4. Ld. counsel for the petitioners submit that the Petitioners are innocent and have falsely been implicated in this case. He also submits that there is counter case filed by the petitioners' side for offence punishable under Section 307 and other Sections of the IPC.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioners have one criminal antecedent except petitioner no. 2.

7. Ld. APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioners above-named, to be enlarged on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Ld. Additional Chief Judicial Magistrate, Ist



Hilsa (Nalanda), in connection with Chandi P.S. Case No. 208 of 2024, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents, Ld. court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J)

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