

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45740 of 2024

Arising Out of PS. Case No.-11 Year-2024 Thana- BHAGWANPUR District- Vaishali

1. Rohit Kumar Son of Jagan Paswan R/O Vill.- Mohammadpur Hari, Bhagwanpur, P.S.- Bhagwanpur, Dist.-Vaishali
2. Shivchandra Kumar Son of Ashok Paswan R/O Vill.- Mohammadpur Hari, Bhagwanpur, P.S.- Bhagwanpur, Dist.-Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Advocate
For the Opposite Party/s : Mr. Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 14-08-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

02. In the present case, the petitioners are apprehending their arrest in connection with Bhagwanpur P.S. Case No. 11 of 2024 registered for the alleged offence under Sections 341, 323, 324, 307/34 of the Indian Penal Code.

03. As per prosecution case, three boys intercepted the motorcycle of the informant and assaulted him and one of them gave a knife blow to the informant. The name of the petitioners transpired during investigation for being involved in the occurrence along with co-accused-Guddu Kumar.

04. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this



case. Learned counsel further submits that the name of the petitioners transpired on the basis of confessional statement of co-accused-Guddu Kumar and except for the said confessional statement, there is no substantive material against the petitioners to connect them with the offence as alleged. The petitioners have no previous enmity with the informant, otherwise petitioners would have been named in this case by the informant and this falsifies the allegation made in the confessional statement made by the co-accused against the petitioners. The injuries of the informant are stated to be simple caused by sharp weapon. The petitioners are having clean antecedent.

05. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the possibility of false implication, let the petitioners above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned ACJM-VI, Vaishali at Hajipur/court concerned in connection with Bhagwanpur P.S. Case No. 11 of 2024, subject to the condition laid down under Section 438(2) of the Code of



Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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