

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48073 of 2024

Arising Out of PS. Case No.-52 Year-2024 Thana- OBRA District- Aurangabad

-
1. Pintu Kumar Son of Dhanesh Paswan R/O- Village- Tejpura, P.S.- Obra, Distt.- Aurangabad, Bihar
 2. Rajesh Kumar Son of Dhanesh Paswan R/O- Village- Tejpura, P.S.- Obra, Distt.- Aurangabad, Bihar
 3. Niraj Kumar Son of Bindeshwari Paswan R/O- Village- Tejpura, P.S.- Obra, Distt.- Aurangabad, Bihar
 4. Chhotu Kumar @ Shubham Kumar Son Of Jibodhan Paswan R/O- Village- Tejpura, P.S.- Obra, Distt.- Aurangabad, Bihar
 5. Gopal Paswan Son of Rajballam Paswan R/O- Village- Tejpura, P.S.- Obra, Distt.- Aurangabad, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Rupa Kumari, Advocate
For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 07-08-2024

1. Heard learned counsel for the parties.
2. At the outset, learned counsel for the petitioners seeks permission to withdraw this application so far as petitioner no.1, Pintu Kumar and petitioner no.4 Chhotu Kumar are concerned with liberty to move separate application for grant of anticipatory bail afresh.
3. The prayer is allowed.
4. The application so far as petitioner no.1 Pintu Kumar and petitioner no.4 Chhotu Kumar are concerned, are disposed



of as withdrawn with the aforesaid liberty.

5. The petitioner nos. 2, 3 and 5 pray for grant of anticipatory bail apprehending their arrest in connection with Obra P.S.Case no.52 of 2024 registered for the offence punishable under sections 307, 341, 342, 323, 325, 504, 506 and 34 of the Indian Penal Code.

6. As per allegation in the F.I.R, the informant states that six named accused persons including the three petitioners herein came variously armed. It is stated that they started to abuse the informant and his wife and on protest, it is stated that accused Rajesh Kumar assaulted the informant with an iron rod as as result of which the informant sustained injuries and on his wife and daughter- in- law coming to his rescue, the accused Pintu Kumar and Chhotu assaulted them with *lathi* etc. as a result of which they also sustained injuries.

7. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the case. So far as these three petitioners are concerned, no overt act has been alleged against them and the allegations are general and omnibus in nature. They have no criminal antecedent and undertake to cooperate in the trial.

8. The application for bail is opposed by learned APP for



the State.

9. Having heard learned counsel for the parties and taking into consideration the allegation against these three petitioners in the F.I.R., the specific allegation being against the coaccused other than these petitioners and their not having any criminal antecedent, it is directed that the petitioner no.2 Rajesh Kumar, petitioner no.3 Niraj Kumar and petitioner no.5 Gopal Paswan, in the event of their arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Obra P.S. Case no.52 of 2024 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Aurangabad.

(Partha Sarthy, J)

Bibhash

U		T	
---	--	---	--

