

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53776 of 2024

Arising Out of PS. Case No.-66 Year-2024 Thana- NOWKOTHI GARHPURA District-
Begusarai

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1. Abinash Kumar @ Dhepo S/O Late Shiv Dani Singh Resident Of Village- Chhatauna, P.S- Nawkothi, District- Begusarai.
 2. Shibam Kumar S/O Late Shiv Dani Singh Resident Of Village- Chhatauna, P.S- Nawkothi, District- Begusarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Santosh Kumar Singh, Advocate
For the State/s	:	Mr. Atul Chandra, APP
For the informant	:	Mr.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 28-08-2024 Heard learned counsel for the petitioners, learned
counsel for the informant and learned A.P.P. for the State.

2. The petitioners apprehend arrest in connection with
Nawkothi P.S. Case No. 66 of 2024 dated 25.04.2024, instituted
for the offence punishable under Sections 341, 323, 307, 353,
504, 506/34 of the Indian Penal Code.

3. The prosecution case, in short, is that on
25.04.2024, informant was going to Chhautauna with students.
When he was on way, both petitioners surrounded him and
asked why he was not purchasing the articles for his Vidyalaya
from their shop. Informant stated that there is no Government
facility, then Abinash Kumar wrapped coconut rope around the



neck of informant. Both petitioners started pulling him with rope. He started crying then, teachers of school and other person reached there. Both the petitioners assaulted him due to which he became unconscious. Cause of occurrence is that earlier informant used to purchased food articles for mid day meal of school from petitioners' shop, but now he stopped purchasing from his shop and started purchasing articles from another shop.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is further submitted that nearby local independent prosecution witnesses of near place of occurrence has not supported the case of prosecution. The doctor has examined the injuries of the informant and found that injuries are simple in nature. Lastly, it has been submitted that the petitioners have no criminal antecedents.

5. Learned A.P.P. and learned counsel for the informant vehemently opposed the prayer for bail of the petitioners and submitted that petitioners are muscle man of the locality and due to refusal of informant from purchasing mid day meal from the shop of the petitioners, they have assaulted the informant.

6. Having considered the facts and circumstances of



the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Nawkothi P.S. Case No. 66 of 2024, they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Begusarai, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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