

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56209 of 2024

Arising Out of PS. Case No.-29 Year-2024 Thana- TANDWA District- Aurangabad

1. Vinod Saw @ Binod Saw Son Of Late Ramchandra Saw Village-Ramnagar, Ps- Tandwa, Dist- Aurangabad
2. Om Prakash Gupta Son Of Late Mohan Saw Village-Ramnagar, Ps- Tandwa, Dist- Aurangabad
3. Rampujan Gupta @ Rahul Kumar Gupta Son Of Satyendra Prasad Gupta @ Satyendra Saw Village-Ramnagar, Ps- Tandwa, Dist- Aurangabad
4. Ram Pawan Gupta @ Pawan Gupta @ Pawan Kumar Gupta Son Of Satyendra Prasad Gupta @ Satyendra Saw Village-Ramnagar, Ps- Tandwa, Dist- Aurangabad
5. Ramji Saw Son Of Ramchandra Saw Village-Ramnagar, Ps- Tandwa, Dist- Aurangabad
6. Manoj Saw @ Manoj Kumar Gupta Son Of Late Ramchandra Saw Village-Ramnagar, Ps- Tandwa, Dist- Aurangabad
7. Sonu Kumar Gupta @ Sonu Kumar @ Surendra Kumar Son Of Manoj Saw Village-Ramnagar, Ps- Tandwa, Dist- Aurangabad
8. Satyendra Saw @ Satyendra Pd. Gupta Son Of Late Ramchandra Saw Village-Ramnagar, Ps- Tandwa, Dist- Aurangabad

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramendra Kumar Singh
For the Opposite Party/s : Dr.Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 04-09-2024 1. Heard learned counsel for the petitioners and learned APP for the State.
2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 341, 323, 302, 504 and 34 of the Indian Penal



Code.

3. The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that on 19.03.024, the accused persons including the petitioners surrounded his mother, who had gone to the cowshed and assaulted her by *lathi* and *danda* causing injury on head. Further, his mother died during the course of treatment.

4. The learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that mother of the informant was an old lady aged about 70 years and died her natural death. It is also submitted that no external injury was found in the post mortem and the inquest report (Annexure-2 to the anticipatory bail application). It is next submitted that even allegation of assault is not specific against the petitioners. It is further submitted that from perusal of the Annexure-2, which is the inquest report, the same records at Clause-5 that no injury was seen on the body.



5. Learned A.P.P. opposes the anticipatory bail application and submits that in the event, if the privilege of anticipatory bail is granted to the petitioners, the petitioners may abscond, on which the learned counsel appearing on behalf of the petitioner submits that petitioners will not abscond rather will cooperate in the investigation to prove their innocence.

6. 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, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Aurangabad in connection with Tandwa P. S. Case No.29 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

8. However, it is made clear that in the event, if any application is filed by the Investigating Officer before the



learned trial Court bringing to its notice that petitioners, despite giving assurance to this Court, are not cooperating in the investigation or are not presenting themselves as and when required, the learned trial Court shall be at liberty to cancel the bail bonds of the petitioners after recording reasons.

9. Further, it is made clear that in the event, if charge-sheet is filed connecting the petitioners with the offence, in that event, the present anticipatory bail order shall loose its effect.

10. Let a copy of this order be sent to the concerned Police Station through the learned trial Court.

(Satyavrat Verma, J)

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