

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58989 of 2024

Arising Out of PS. Case No.-145 Year-2023 Thana- AAYAR District- Bhojpur

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1. Vikash Kumar Son of Sanjay Kushwaha Village- Bherari Ps- Aayar Dist- Bhojpur
 2. Lakar Kushwaha @ Chandra Shekhar Singh son of Jai Prakash Kushwaha Village- Bherari Ps- Aayar Dist- Bhojpur
 3. Chhotu Kumar @ Arman Kumar son of Bimlesh Kushwaha Village- Bherari Ps- Aayar Dist- Bhojpur
 4. Bimlesh Kushwaha @ Bimlesh Singh Son of Late Lalmohar Kushwaha Village- Bherari Ps- Aayar Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Malti Kumari
For the Opposite Party/s : Mr. Tapeswar Sharma

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 11-09-2024 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of G.R. No. 6507 of 2023, arising out of Aayar Police Station Case No. 145 of 2023, dated 13.11.2023, disclosing offences under Sections 147/148/149/341/323/324/307/379/504 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that while the informant was retuning home after



purchasing grocery, the co-accused persons stopped and abused him and his family members. The informant's brother, went to enquire about the same. Upon such, the co-accused persons, along with the petitioners, armed with khanti, lathi, danda, etc., assaulted the informant's brother and his family members.

4. Learned counsel for the petitioners submits that the petitioners have falsely been implicated in the present case due to village politics. The allegations against the petitioners are general and omnibus in nature. He next submits that the side of the petitioners have also lodged First Information Report, bearing Aayar Police Station Case No. 146 of 2023, against the informant and his family members for the occurrence which took place on the same date and time. The injuries caused to the informant's brother and other family members are not serious and the opinion of doctor has been kept reserved. He further submits that similarly situated co-accused persons have been granted anticipatory bail by a Co-ordinate Bench of this Court in Cr. Misc. No. 25661 of 2024. The petitioners have got no criminal antecedent.
5. Regards being had to the submissions made on behalf of



the parties and taking into consideration the fact that allegations against the petitioners are general and omnibus in nature, case and counter-case is there and similarly situated co-accused persons have been granted anticipatory bail by a Co-ordinate of this Court, I am inclined to grant the petitioners privilege of anticipatory bail.

- 6. This application is, accordingly, allowed.
- 7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VII, Bhojpur at Ara, in connection with G.R. No. 6507 of 2023, arising out of Aayar Police Station Case No. 145 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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