

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58225 of 2024

Arising Out of PS. Case No.-181 Year-2024 Thana- KUDRA District- Kaimur (Bhabua)

1. Bhuwar Mallah @ Sikandar Mallah Son of Dukhi Chaudhary R/O Vill.- Kajhar Ghat, P.S.- Kudra, Dist.- Kaimur At Bhabua.
2. Anil Chaudhary @ Anil Mallah Son of Dukhi Chaudhary R/O Vill.- Kajhar Ghat, P.S.- Kudra, Dist.- Kaimur At Bhabua.
3. Virendra Tiwari @ Birendra Kumar Tiwari @ Baba Son of Dullan Tiwari R/O Vill.- Western Side of Near Suryavanshi Vivah Mandal, Kudra, P.S.- Kudra, Dist.- Kaimur At Bhabua.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Kant Pandey, Adv.
For the Opposite Party/s : Mr. Tapeswar Sharma, APP
Mr. Bhola Prasad, Adv.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 18-09-2024 Heard learned counsel for the petitioners, learned A.P.P. for the State and learned counsel, who voluntarily appeared on behalf of informant.

2. The petitioners apprehend their arrest in a case registered for the offence under Sections 384, 323, 307, 325, 379, 427, 504, 506/34 of the Indian Penal Code.

3. As per the prosecution case, on the alleged date and time of occurrence, petitioners alongwith 4-5 unknown persons abused and assaulted informant and his staffs and also snatched a gold chain and cash of Rs. One lakh from the informant.

4. Learned counsel for the petitioners submits that



from perusal of F.I.R., it is apparent that allegation of assault is general and omnibus and no specific overt act has been alleged against petitioners. As a matter of fact, some altercation took place between the parties due to business rivalry, in which, informant fell down and sustained head injury. Petitioners claim clean antecedent.

5. Learned APP and learned counsel for the informant vehemently opposed the bail petition. Learned counsel for the informant submits that petitioners are named in the F.I.R. with specific allegation that they assaulted informant and others, as a result of which, informant sustained injuries.

6. Considering the fact that there is general & omnibus allegation of assault and petitioners have got clean antecedent, the prayer for anticipatory bail of petitioners is allowed.

7. Accordingly, let the above named petitioners, in the event of their arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. **10,000/-** (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Mohania, Kaimur at Bhabhua in connection with Kudra P.S. Case No. 181 of 2024, subject to condition as laid down



under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

anay

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

