

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61043 of 2024

Arising Out of PS. Case No.-187 Year-2024 Thana- NAUBATPUR District- Patna

1. Lalu Kumar @ Lulu Kumar S/o Kamlessh Yadav R/o vill - Abgila(Kopa Kala), P.S. - Naubatpur, Distt. - Patna (Bihar)
2. Shashi Kumar S/o Yogendra Yadav R/o vill - Abgila(Kopa Kala), P.S. - Naubatpur, Distt. - Patna (Bihar)
3. Praveen Kumar S/o Chitranjan @ Kariman @ Karim @ Chitranjan Kumar R/o vill - Abgila(Kopa Kala), P.S. - Naubatpur, Distt. - Patna (Bihar)
4. Niranjan Kumar S/o Lalan Yadav R/o vill - Abgila(Kopa Kala), P.S. - Naubatpur, Distt. - Patna (Bihar)
5. Mukhiya Yadav @ Ranjay Yadav S/o Late Jagdish Yadav R/o vill - Abgila(Kopa Kala), P.S. - Naubatpur, Distt. - Patna (Bihar)
6. Mantu Kumar S/o Sukhari Yadav R/o vill - Abgila(Kopa Kala), P.S. - Naubatpur, Distt. - Patna (Bihar)
7. Nagendra Kumar S/o Sudeshwar Yadav R/o vill - Abgila(Kopa Kala), P.S. - Naubatpur, Distt. - Patna (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nawal Kishore Singh, Advocate
For the Opposite Party/s : Mr. Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 11-09-2024 Heard the parties.

2. The petitioners are apprehending their arrest in connection with Naubatpur P.S. Case No. 187 of 2024 for the offence under Sections 341, 323, 307, 354-A, 379, 504, 506 and 34 of the Indian Penal Code lodged on 30.03.2024 by the informant, Shivam Kumar.

3. As per the prosecution story, the informant alleged that after playing cricket as they were going to meet friend, saw



some other persons trying to misbehave with a lady. When they protested the allegation is that Prem Kumar gave iron rod blow to the informant on his head causing injury. As the locals arrived, they escaped. When the informant was going to the hospital, again found Kamlesh Yadav and Lalu Kumar snatching the gold chain of a lady. Accordingly, the F.I.R.

4. Learned counsel for the petitioners submit that there is case and counter case, both parties are on enimical term and as such exaggerated F.I.R.

5. Learned APP opposes the prayer submits that despite exaggerated F.I.R. which has been alleged by the petitioner's side, the fact remains that against others, no allegation has been made rather it has been made against Prem Kumar and Lalu Kumar as also Kamlesh Yadav.

6. Considering the aforesaid facts as also the allegation that has come against Lalu Kumar @ Lulu Kumar, his anticipatory bail application stands rejected.

7. So far as the petitioner nos.2 to 7 namely Shashi Kumar, Praveen Kumar, Niranjana Kumar, Mukhiya Yadav @ Ranjay Radav, Mantu Kumar, Nagendra Kumar are concerned, omnibus allegation against them in the F.I.R., they will be ultimately facing the trial, this Court is inclined to extend him



the privilege of anticipatory bail.

8. Let the petitioner nos.2 to 7 namely Shashi Kumar, Praveen Kumar, Niranjana Kumar, Mukhiya Yadav @ Ranjay Radav, Mantu Kumar, Nagendra Kumar be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VI, Danapur, in connection with Naubatpur P.S. Case No. 187 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner nos.2 to 7 namely Shashi Kumar, Praveen Kumar, Niranjana Kumar, Mukhiya Yadav @ Ranjay Radav, Mantu Kumar, Nagendra Kumar who shall provide official document to show his/her bona fide;

(ii) the petitioner nos.2 to 7 namely Shashi Kumar, Praveen Kumar, Niranjana Kumar, Mukhiya Yadav @ Ranjay Radav, Mantu Kumar, Nagendra Kumar shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail



cancellation of his/her bail bond by the Trial Court itself;

(iii) the petitioner nos.2 to 7 namely Shashi Kumar, Praveen Kumar, Niranjana Kumar, Mukhiya Yadav @ Ranjay Radav, Mantu Kumar, Nagendra Kumar shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner nos.2 to 7 namely Shashi Kumar, Praveen Kumar, Niranjana Kumar, Mukhiya Yadav @ Ranjay Radav, Mantu Kumar, Nagendra Kumar shall in no way try to induce or promise or threaten the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner nos.2 to 7 namely Shashi Kumar, Praveen Kumar, Niranjana Kumar, Mukhiya Yadav @ Ranjay Radav, Mantu Kumar, Nagendra Kumar shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his/her bail bonds.

(Rajiv Roy, J)

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