

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59755 of 2024

Arising Out of PS. Case No.-95 Year-2024 Thana- NOWKOTHI GARHPURA District-
Begusarai

-
1. Amarjeet Kumar @ Amarjeet Singh, Son of Nunubabu Singh, R/o Village- Ward No.- 05, Daffarpur, P.S.- Nowkothi, District- Begusrai.
 2. Abhimanu Kumar Singh @ Sonu Kumar, Son of Jay Jay Ram Singh, R/o Village- Ward No.- 06, Daffarpur, P.S.- Nowkothi, District- Begusrai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Narain Sinha, Advocate

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

2 11-09-2024

Heard Mr. Jitendra Narain Sinha, learned counsel

appearing on behalf of the petitioners and Mr. Chandra Sen Prasad Singh, learned APP appearing on behalf of the State.

2. The petitioners apprehend their arrest in connection with Nowkothi P.S. Case No. 95 of 2024 registered under Sections 341, 147, 149, 353, 307, 333, 338, 506 and 379 of the Indian Penal Code.

3. As per the allegation made in the FIR, the petitioners, who are named in the FIR, alongwith 30 unknown persons, interfered with the informant, who is a government official (Circle Officer) and they also threatened him of dire consequence and tempered the government vehicle.



4. Learned counsel appearing on behalf of the petitioners submitted that petitioners are innocent and they have falsely been implicated in the present case. Learned counsel further submitted that no such incidence had taken place. The petitioners were not involved in illegal excavation of the soil from the government land. On these grounds, the petitioners seek to be released on bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail and submitted that petitioner no.1 is a veteran criminal and four criminal cases are pending against him.

6. Having considered the rivals submissions made on behalf of the parties, the specific allegation that has been made against the petitioners is that both of them, alongwith 30 unknown persons, had threatened the informant (Circle Officer) of dire consequences and stopped him from performing his official duty and considering the criminal history of the petitioner no.1, I am not inclined to enlarge the petitioner no.1 on bail for the reason that the same will be against the society.

7. So far as, petitioner no.2 is concerned, there being general and omnibus allegation against him, I am of the opinion that petitioner no.2 has, *prima facie*, made out a case to be



released on pre-arrest bail.

8. The learned District Court is directed to release the petitioner no.2 on anticipatory bail, in the event of his arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each, to the satisfaction of learned Addl. Sessions Judge-III, Begusarai in connection with Nowkothi P.S. Case No. 95 of 2024, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

9. The learned District Court is directed to verify the criminal antecedent of the petitioner no.2, as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner no.2, as what has been stated in paragraph no. 3, this order will lose its force automatically.

10. With the aforesaid observation/direction, the present pre-arrest bail application stands disposed of.

(Purnendu Singh, J.)

Ashishsingh/-

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

