

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62386 of 2024

Arising Out of PS. Case No.-108 Year-2024 Thana- MOHIUDDIN NAGAR District-
Samastipur

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1. Manish Kumar Singh @ Gaurav Kumar @ Manish Kumar Son of Ramanuj Singh R/V- Village- Mohiuddinnagar, P.S.- Mohiuddinnagar, Distt.- Samastipur
 2. Gaurav Kumar Singh @ Gaurav Kumar Son of Ramanuj Singh R/V- Village- Mohiuddinnagar, P.S.- Mohiuddinnagar, Distt.- Samastipur
 3. Krishna Kumar Singh @ Krishna Kumar Son of Ramanuj Singh R/V- Village- Mohiuddinnagar, P.S.- Mohiuddinnagar, Distt.- Samastipur
 4. Kanhaiya Kumar Singh @ Kanhaiya Kumar @ Kanhya Kumar Singh Son of Ramanuj Singh R/V- Village- Mohiuddinnagar, P.S.- Mohiuddinnagar, Distt.- Samastipur
 5. Rajeev Kumar Singh @ Rajeev kumar Son of Late Ramsevak Singh @ Late Ramsevak Singh R/V- Village- Mohiuddinnagar, P.S.- Mohiuddinnagar, Distt.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarvesh Kashyap
For the Opposite Party/s : Mr. Choubey Jawahar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 31-08-2024 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.
2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 326, 307, 384, 379, 504, 506, 34 of the Indian Penal Code.
3. Learned counsel for the petitioners submits that petitioner no.1 has antecedent of one case and petitioner no.2, 3 and 4 are persons with clean antecedent and petitioner no.5 has



antecedent of three cases but all the three cases have been instituted by his agnates, as pleaded, at para-3 of the anticipatory bail application. It is next submitted that informant alleges that the accused persons came and Rajeev looted Rs.1 lakh from his shop on point of gun, while Manish assaulted him by an iron rod on head causing injury, while other accused assaulted by lathi and danda.

4. The learned counsel submits that petitioners have been falsely implicated in the instant case. It is next submitted that from the side of the petitioners, a complaint case was instituted by Manish against the side of the informant and other, on account of which, the instant false F.I.R. came to be instituted with an allegation that Rajeev looted Rs. 1 lakh from his shop on point of gun. It is also submitted that the shop is located in a busy area but then no one has come to support the said allegation. It is also submitted that even the injury suffered by the injured is simple in nature, which amply demonstrates that Manish never had any intention of committing a serious occurrence. It is next submitted that petitioners will not abscond rather will co-operate in the investigation to prove their innocence.

5. Learned A.P.P. for the State opposes the prayer for



anticipatory bail of the petitioners.

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 from today, be released on anticipatory bail on furnishing bail bonds of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned trial court where the case is pending/successor court in connection with Mohiuddinnagar P.S. Case No.108/2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned trial court bringing to his notice that the petitioners despite giving assurance to this court are not co-operating in the investigation in that event the learned trial court shall be at liberty to cancel the bail bonds of the petitioners.

(Satyavrat Verma, J)

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