

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58509 of 2023

Arising Out of PS. Case No.-166 Year-2023 Thana- KHANPURA District- Samastipur

1. Vikash Kumar Son Of Upendra Mahto Resident Of Sobhan Tara, Police Station - Khanpur, District - Samastipur
2. Rakesh Kumar Son Of Upendra Mahto Resident Of Sobhan Tara, Police Station - Khanpur, District - Samastipur
3. Nitish Kumar Son Of Upendra Mahto Resident Of Sobhan Tara, Police Station - Khanpur, District - Samastipur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Bijay Bhushan Prasad, Advocate
		Ms. Rani Shashi Bharti, Advocate
For the Opposite Party/s :		Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 27-09-2024

1. Heard learned counsel for the parties.

2. The petitioners have preferred this application for grant of anticipatory bail apprehending their arrest in connection with Khanpura P.S. Case no. 166 of 2023 registered under sections 307, 379, 341, 323, 324, 354, 504, 506 and 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioners along with others are said to have come variously armed. It is stated that Upendra Mahto struck the informant's brother with a rod on his head as a result of which he sustained injuries. Rakesh Kumar is also stated to have struck Rajdev Verma on his head leading to injuries.

4. Learned counsel for the petitioners submits that the



petitioners have been falsely implicated in the case. The manner of occurrence is other than what has been narrated in the F.I.R. Co-accused Upendra Mahto has been enlarged on regular bail vide order dated 15.7.2024 passed in Cr. Misc. no. 40552 of 2024. The injury attributed to petitioner no. 2 has been found to be simple in nature. The petitioners have no criminal antecedent.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioners in the F.I.R., grant of regular bail to co-accused and the petitioners not having any criminal antecedent, it is directed that the petitioners above named, in the event of their arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Khanpura P.S. Case no. 166 of 2023 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Samastipur.

(Partha Sarthy, J)

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