

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61205 of 2024

Arising Out of PS. Case No.-458 Year-2023 Thana- NAWANAGAR District- Buxar

1. Omjee Kumar Son of Rajaram Singh Resident of Village - Gangtai, P.S. - Dawath, District - Rohtas, As per FIR Village - Gangati, P.S. - Sonbarsha, District - Buxar
2. Satyendar Yadav Son of Harelal Singh Resident of Village - Kosanda, P.S. - Sauryapura, District - Rohtas, As per F.I.R. Village and P.S. - Sonbarsha, District - Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mohit Shriwastava, Advocate
For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 20-09-2024 Heard Mr. Mohit Shriwastava, learned counsel for the petitioners and Mr. Vinod Shanker Modi, learned APP for the State.

2. The petitioners apprehend their arrest in connection with Nawanagar P.S. Case No. 458 of 2023/ G.R. No. 3839/23 dated 21.12.2023 registered for the offences punishable under Sections 147, 149, 323, 341, 342, 307 and 365 of the Indian Penal Code.

3. Learned counsel appearing for the petitioners submits that in fact the informant took a sum of Rs. 12,20,000/- from the father of the petitioners for the purpose of transferring a land through a sale deed but later on he failed to execute the



sale deed and thereafter, an agreement was made in between the informant and the father of the petitioners through which the informant agreed to return the said money in installments and a copy of the agreement has been filed as Annexure P-2. The petitioner No. 1 is a student presently pursuing engineering course at Rungta College of Engineering and Technology, Bhilai, Chhattisgarh and in this regard, Annexure P-5 is relevant and the petitioner No. 2 is serving in the Indian Army and now a good relation has restored in between both the parties and they have compromised the present matter and in this regard, compromise petition filed as Annexure P-3 is relevant. It is further submitted that the instant matter relates to a simple assault and in this regard, informant's injury report filed as Annexure P-4 may be perused which shows that he sustained only two simple injuries in the alleged occurrence.

4. Learned APP for the State has opposed the prayer for bail of the petitioners.

5. Considering the above submissions and mainly taking into account the fair and clean antecedent of the petitioners coupled with the compromise made by both the parties, this Court is inclined to accept the prayer for anticipatory bail of the petitioners. Accordingly, let the



petitioners named-above, 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. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Nawanagar P.S. Case No. 458 of 2023/ G.R. No. 3839/23 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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