

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60919 of 2024

Arising Out of PS. Case No.-4 Year-2024 Thana- Chakia District- Begusarai

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1. Uma Nishad @ Om Prakash, S/O Kapildev Nishad, Resident of Village-Simariya Bind Toli, P.S- Chakia, District- Begusarai.
 2. Vikash Nishad @ Vikash Kumar, S/O Kapildev Nishad, Resident of Village-Simariya Bind Toli, P.S- Chakia, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Amar Kumar Singh, Advocate
		Mr. Rahul Singh, Advocate
For the Opposite Party/s	:	Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 19-09-2024

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 Chakia P.S. Case no. 4 of 2024 registered under sections 307, 379, 341, 323, 325, 504, 506 and 34 of the Indian Penal Code.

3. As per the prosecution case, it is stated that the three named accused persons including the petitioner no.2 herein and three to four unknown accused persons started to abuse and assault the informant. It is further stated that the petitioner no.2 and one another assaulted the informant with *lathi* and *khanti* on his back. Further, on the next day ie on 25.3.2024, Kapildev Nishad started to abuse and assault him.



Further, the two petitioners herein snatched the chain from the informant's neck. Other members of the informant's family were also assaulted.

4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the case. The allegations of assault are mainly against the other accused persons. The allegations of assault against the petitioner no.2 are general and omnibus in nature. The allegation of assault by seven persons is falsified from the contents of the injury report, wherein only one abrasion on head has been found, which has also been opined to be simple in nature. It is thus submitted that the allegations are false and concocted. The petitioners have no criminal antecedent.

5. The application for anticipatory bail is opposed by 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., the contents of the injury report and especially the allegations so far as these two petitioners are concerned and the petitioners not having any criminal antecedent, it is directed that both 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 Chakia P.S. Case no. 4 of 2024 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 Chief Judicial Magistrate, Begusarai.

(Partha Sarthy, J)

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