

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61870 of 2024

Arising Out of PS. Case No.-192 Year-2023 Thana- NAUGACHIA District- Bhagalpur

1. Fucho Kumar, Son of Chhutahri Singh @ Chhuti Singh @ Chotelal Singh @ Chhotelal Singh, Resident of Village- Shripur Ammghatta, P.S.- Naugachia, Dist.- Bhagalpur.
2. Sonu Kumar, Son of Chhutahri Singh @ Chhuti Singh @ Chotelal Singh @ Chhotelal Singh, Resident of Village- Shripur Ammghatta, P.S.- Naugachia, Dist.- Bhagalpur.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Akshay Kumar, Advocate
For the Opposite Party	:	Mr. Damodar Prasad Tiwary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 04-10-2024 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners are apprehending their arrest in connection with Naugachia P.S. Case No. 192 of 2023 dated 12.06.2023 registered for the offences punishable under Sections 147, 447, 341, 323, 307 and 506 of the I.P.C.

3. As per the prosecution case, the petitioners and the other co-accused persons holding lethal weapons came and forbade for construction. On being objected, they assaulted the informant's wife and his son with lathi and danda and golden chain was snatched by the co-accused Dhiraj Kumar.



4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in the present case. It is submitted that there is no specific allegation against the petitioners. There is general and omnibus allegation against the petitioners. The specific allegation of assault is alleged against the co-accused Chhuti Singh. It is further submitted that the victim Niraj had sustained injury on his forehead and the victim Meena Devi and Sadanand Singh were unconscious but the said injury is not grievous and on vital part of the body of the injured. The other co-accused person Chhuti Singh @ Chhutari Singh @ Chhotelal Singh has already been granted regular bail by a Bench of this Court vide Cr. Misc. No. 52921 of 2023 under order dated 24.08.2023. The petitioners have clean antecedent as stated in paragraph no. 3 of the bail application.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioners, in the event of their arrest/surrender before the learned court below within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand)



each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate-1st, Naugachia, in connection with Naugachia P.S. Case No. 192/2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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