

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66878 of 2024

Arising Out of PS. Case No.-207 Year-2024 Thana- KHUSRUPUR District- Patna

1. Sudama Singh Son Of Late Chanradeep Singh Resident Of Village - Paigambarpur, Police Station- Khusurupur, District- Patna
2. Akhilendra Kumar @ Akhilesh Kumar Son Of Sudama Singh Resident Of Village - Paigambarpur, Police Station- Khusurupur, District- Patna
3. Nishant Kumar Son Of Nageshwar Singh Resident Of Village - Paigambarpur, Police Station- Khusurupur, District- Patna
4. Shivam Kumar @ Munna Kumar Son Of Shiva Kumar Resident Of Village - Paigambarpur, Police Station- Khusurupur, District- Patna
5. Satyam Kumar @ Kunal Kumar Son Of Vijay Kumar @ Vijay Singh Resident Of Village - Paigambarpur, Police Station- Khusurupur, District- Patna.

... .. Petitioners

Versus

1. The State Of Bihar
2. Smt. Ram Sam Prabhari Not Known Resident Of Village - Paigambarpur, Police Station- Khusurupur, District- Patna.

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr. Shashi Shekhar Kumar Prasad, Advocate
For the Opposite Party/s : Mr. Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 05-10-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

02. In the present case, the petitioners are apprehending their arrest in connection with Khusurupur P.S. Case No. 207 of 2024, registered on 30.05.2024, for the alleged offence under Sections 341, 323, 307, 379, 354, 504, 506/34 of the Indian Penal Code.

03. As per prosecution case, petitioners and other co-



accused persons who were variously armed, assaulted the grandson of the informant and also opened fire in air. When the informant tried to save him, she was also assaulted and petitioner no. 2 snatched a gold chain worth of Rs. 1,00,000/- from the informant. The co-accused Nageshwar Singh hit the son of the informant with iron rod on his head.

04. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. The true facts of the case is that sons, husband and other relatives of the informant brutally assaulted the petitioner no. 2 on 30.05.2024 and on his fardbeyan recorded on the same date, FIR has been registered on 04.06.2024 vide Khusrupur P.S. Case No. 216 of 2024 against family members of the informant. The petitioner no. 2 received serious injuries. Learned counsel further submits that the informant's side wanted to grab the land of the petitioners and they had been demanding Rs. 5,00,000/- as extortion money. Learned counsel further submits that, moreover, there is no specific allegation against the petitioners except allegation of snatching gold chain against petitioner no. 2 and opening of fire in air. The allegations are specific against co-accused Shiv Kumar, who assaulted the grandson of the informant with *farsa* and Nageshwar Singh, who assaulted the



son of the informant with iron rod. Apart from that the allegation against petitioners-Kunal Kumar and Munna Kumar is that of assaulting the grandson of the informant with butt of pistol. Learned counsel further submits that the petitioners are having clean antecedent.

05. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the absence of allegation of any serious overt act upon the petitioners and further considering the possibility of false accusation in the background of counter version, let the petitioners above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate- 1st Class, Patna City/court concerned in connection with Khusrupur P.S. Case No. 207 of 2024, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

(i) One of the bailors will be a close relative of



the petitioners.

(ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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