

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74946 of 2023

Arising Out of PS. Case No.-46 Year-2023 Thana- PARBATTa District- Khagaria

1. NAVIN KUNWAR @ NAVIN KUMAR SON OF LATE SHITAL KUNWAR RESIDENT OF VILLAGE- DUMARIA BUJURG, PS- PARBATTa, DISTT- KHAGARIA
2. GAUTAM KUNWAR@ GAUTAM KUMAR SON OF NAVIN KUNWAR RESIDENT OF VILLAGE- DUMARIA BUJURG, PS- PARBATTa, DISTT- KHAGARIA
3. CHANDAN KUNWAR@ CHANDAN KUMAR SON OF NAVIN KUNWAR RESIDENT OF VILLAGE- DUMARIA BUJURG, PS- PARBATTa, DISTT- KHAGARIA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh
For the Opposite Party/s : Mr.Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

4 04-04-2024 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners have preferred this application for grant of anticipatory bail in connection with Parbatta P.S. Case No. 46 of 2023, for the offences punishable under Sections 341, 323, 325, 307, 379, 504, 506/34 of the Indian Penal Code.

3. As per the prosecution case, the petitioners and the co-accused persons came on the basa of informant armed with *lathi*, *danda* and three nut. The petitioner no. 3 assaulted with butt of three nut on the head of the informant and the petitioner



no. 2 assaulted with iron rod on the head, back and leg of the informant and caused injury. The accused persons snatched gold chakti and Rs. 750/- from the informant.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. The petitioners have no criminal antecedent as stated in para 3 of the bail petition. There is no specific allegation against the petitioners rather the allegation is general and omnibus in nature. As per the injury report, hematoma on occipital bob of the body and it shows fracture at Nosal bone and right hand ring finger but the allegations of assaulting are on head.

5. Learned APP for the State has vehemently opposed the prayer for anticipatory bail of the petitioners.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioners, let the above named petitioners, in the event of their arrest/surrender 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 court concerned, Khagaria in connection with Parbatta P.S. Case No.



46 of 2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure with the following condition:

(I) The petitioners are directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioners are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

Ranjeet/-

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