

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66866 of 2024

Arising Out of PS. Case No.-168 Year-2024 Thana- NADI P.S. District- Patna

1. Rohit kumar @ Kallu @ Rohit S/O Gorakh Choudhary Resident Of Village- Jethuli, P.S- Nadi, Distt.- Patna.
2. Rakesh Kumar S/O Gorakh Choudhary Resident Of Village- Jethuli, P.S- Nadi, Distt.- Patna.
3. Rahul Kumar S/O Gorakh Choudhary Resident Of Village- Jethuli, P.S- Nadi, Distt.- Patna.
4. Mukesh Kumar S/O Raju Choudhary Resident Of Village- Jethuli, P.S- Nadi, Distt.- Patna.
5. Vicky @ Bechan S/O Chandradeep Chandarya @ Langra @ Tangra Resident Of Village- Jethuli, P.S- Nadi, Distt.- Patna.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Arvind Prasad Singh, Advocate
For the Opposite Party/s : Mr. Ramchandra Sahni, 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 Nadi P.S. Case No. 168 of 2024, registered for the alleged offence under Sections 341, 323, 379, 354(B), 307, 506, 504/34 of the Indian Penal Code.

03. As per prosecution case, in the backdrop of demand of outstanding payment of some food item, the



petitioners assaulted the informant and his brother. However, the quarrel was pacified by the neighbours. Thereafter, again these petitioners assaulted the informant, his mother and sister.

04. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case on the basis of false allegation. The petitioners are brothers and cousins and they did not assault the informant. There is counter version and the mother of the petitioner nos. 1, 2 and 3 has filed Nadi P.S. Case No. 167 of 2024 against the informant and his family members and a number of persons from the petitioners' side have received injuries. Learned counsel further submits that despite opportunity, no injury report was produced before the learned Additional Sessions Judge and this fact is reflected from the rejection order. 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 case and counter case of the parties and further considering the possibility of false accusation, 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 Nadi P.S. Case No. 168 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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