

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67419 of 2024

Arising Out of PS. Case No.-302 Year-2023 Thana- BIHAR District- Nalanda

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1. Akhilesh Kumar @ Akhilesh Kumar Urf S/O Ram Nath Mahto @ Mahokar Mahto R/O Village- Banauliya, P.S- Bihar, Distt.- Nalanda.
 2. Pankaj Kumar S/O Krishna Mahto R/O Village- Banauliya, P.S- Bihar, Distt.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kishor Prasad

For the Opposite Party/s : Mr.Parmanand Prasad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-10-2024 1. Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 188, 341, 323, 324, 325, 337, 338, 332, 333, 353, 504, 506, 307, 427, 120B of the Indian Penal Code and Section 25(1-b)A/26/27 of the Arms Act.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and the informant alleges that while he was on patrolling duty when he received an information that between two different religious groups, disputes had arisen, on account of which both sides are



indulging in pelting stones and firing, accordingly he along with police force reached the place of occurrence, when the accused on seeing the force fled and four persons were apprehended, who disclosed the name of 16 accused persons, further from the place of occurrence, empty cartridges were recovered.

4. It is next submitted that name of the petitioners transpired in the confessional statement of the apprehended accused in police custody which does not have any evidentiary value. It is next submitted that since petitioners reside near the place of occurrence as such out of inquisitiveness they had also gone to witness as to what was happening, when they came to be implicated. It is also submitted that petitioners will not abscond rather will cooperate in the investigation to prove their innocence.

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

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-



(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Bihar P.S. Case No. 302 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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