

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65390 of 2024

Arising Out of PS. Case No.-71 Year-2024 Thana- NAYA RAM NAGAR District- Munger

1. Suraj Kumar S/O Sanjay Paswan Resident of Village- Gouripur, PS-
Nayaram Nagar, District - Munger
2. Sumit Kumar S/O Sanjay Paswan Resident of Village- Gouripur, PS-
Nayaram Nagar, District - Munger
3. Chhtotu Kumar @ Saurav Kumar S/O Prakash Paswan Resident of Village
Bajrangwali Nagar, PS- Nayaram Nagar, District - Munger
4. Sonu Kumar Son of Prakash Paswan Resident of Village Bajrangwali Nagar,
PS- Nayaram Nagar, District - Munger
5. Sujeet Kumar Son of Chandrasekhar Paswan @ Chand Sekhar Paswan
Resident of Village- Ghorghat, PS- Bariyarpur, District - Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Puja Kumari
For the Opposite Party/s : Mrs. Rita Verma

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 21-11-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. A supplementary affidavit has been filed on behalf of the petitioners stating therein that in the impugned order the learned Session's Judge, Munger has committed an error with regard to criminal antecedents, in place of petitioner no. 2, namely, Sumit Kumar wrongly mentioned petitioner no. 1 Suraj Kumar in paragraph no. 6, which is evident from perusal of paragraph no. 43 of the case diary.



3. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 149, 341, 323, 324, 326, 307, 504 of the Indian Penal Code.

4. The informant alleged that, in a feast, all the accused persons including the petitioners have assaulted the informant and his cousin brother with iron weapon with an intention to kill, as a result of which both have suffered head injuries and the informant's cousin also suffered injuries on his nose.

5. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He fairly submits that the injured persons have sustained grievous injury. Petitioner nos. 1, 3, 4 and 5 have no criminal antecedent and petitioner no. 2 has one criminal antecedent as mentioned in para-3 of this application.

6. Learned APP for the State opposes the prayer for anticipatory bail.

7. Having regard to the facts and circumstances of the case and the fact that there is general and omnibus allegation against petitioner nos. 1, 3, 4 and 5, let the above



named petitioner nos.1, 3, 4 and 5, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Nayaram Nagar P.S. Case No. 71 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

8. Considering the facts and circumstances of case and the fact that petitioner no. 2 has one criminal antecedent and injured persons have sustained grievous injury, I am not inclined to enlarge petitioner no.2 on anticipatory bail. The prayer for anticipatory bail of the petitioner no. 2 is hereby rejected.

9. Accordingly, this application is partly allowed.

(Anjani Kumar Sharan, J)

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