

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66436 of 2024

Arising Out of PS. Case No.-67 Year-2024 Thana- LAUKARIA District- West Champaran

1. Dharmendra @ Dharmendra Kumar Kaji Son of Dayaram Kazi Resident of Village - Gonouli, P.S. - Valmikinagar, District - West Champaran
2. Balkishor @ Baliram @ Baliram Kumar Son of Dayaram Kazi Resident of Village - Gonouli, P.S. - Valmikinagar, District - West Champaran
3. Mahendra @ Mahendra Kumar Son of Baleshwar Mahato Resident of Village - Songadhwa, P.S. - Valmikinagar, District - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Ajit Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 01-10-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Laukariya P.S. Case No. 67 of 2024 registered for the offences punishable under Sections 126(2), 127(2), 115(2), 118(1), 110, 3(5) of the BNS.

3. Prosecution case in short is that petitioners have assaulted the son of the informant while he was in their Umang Hostel.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence as



alleged against them and have falsely been implicated in the present case. It is alleged that petitioner No. 1 and petitioner No.2 took the son of the informant at Harnatand Bazar, whereafter petitioner No.1 and petitioner No.2 assaulted him. It is submitted that son of the informant fled away from the hostel of petitioner No.1, without permission/information to anyone in the hostel and on search, he was found at Harnatand Market from where he was taken to the hostel. It is submitted that there is no specific allegation against the petitioner No.3. So far as injury is concerned, doctor has opined that some marks of sticks was found, which is simple in nature.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the rival submissions made by the learned counsel for the parties, let the ***petitioner No.3, namely, Mahendra @ Mahendra Kumar***, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) 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 Laukariya P.S. Case No. 67 of 2024, subject to the conditions as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

7. So far as petitioner No. 1 and petitioner No.2 are concerned, considering the specific allegation against of assault upon son of the informant, this Court is not inclined to enlarge them on anticipatory bail. Accordingly, prayer is *rejected* as against petitioner Nos. 1 and 2.

8. However, if the petitioner Nos.1 and 2 surrender before the court below within a period of four weeks from today and pray for regular bail, the same would be considered by the court below in accordance with law without being prejudiced by the order of this Court.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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