

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68340 of 2024

Arising Out of PS. Case No.-258 Year-2024 Thana- EKMA District- Saran

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1. Anita Devi Wife of Bambahadur Prasad Resident of Village- Bishunpura Kala, P.S.- Ekma, Distt.- Saran
 2. Bambahadur Prasad Son of Late Ramlal Prasad Resident of Village- Bishunpura Kala, P.S.- Ekma, Distt.- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Mili Kumari, Advocate

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 03-10-2024 Learned counsel for the petitioners seeks permission of the Court to withdraw the present application in respect of petitioner no. 2 as the petitioner no. 2 has been arrested during the pendency of the present application.

2. Permission is accorded.

3. Accordingly, the present application stands dismissed as withdrawn against petitioner no. 2. And, therefore, the present application survives only against petitioner no. 1.

4. Heard learned counsel for the petitioner and learned APP for the State.

5. The petitioner no.1 apprehends arrest in Ekma P.S. Case No. 258 of 2024, registered under Sections 127(1), 115(2),



109, 303(2) and 351(2)(3)(5) of the Bharatiya Nyaya Sanhita, 2023.

6. The prosecution case, in short, is that, the petitioner no.1 along with other co-accused persons assaulted the son of the informant by means of iron rod and *tangi* due to which he sustained head injury and also snatched his gold chain.

7. Learned counsel for the petitioner submits that the petitioner no.1 is innocent and has falsely been implicated in the present case. Learned counsel for the petitioner further submits that no specific allegation of assault has been attributed against petitioner no. 1, rather the allegation is general and omnibus in nature. It is alleged that petitioner no. 1 has snatched gold chain from the son of the informant worth Rs. 40,000/- and the same is a trivial allegation. The petitioner has got no criminal antecedent.

8. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner no.1.

9. Considering the aforesaid facts and circumstances, let the petitioner no.1, above named in the event of arrest/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 Court below/concerned Court in connection with Ekma P.S. Case No. 258 of 2024, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Rudra Prakash Mishra, J)

Rajorshi/-

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