

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70641 of 2024

Arising Out of PS. Case No.-355 Year-2024 Thana- MANER District- Patna

1. Subhash Rai Son of Late Rajnandan Rai Resident of Village- Kashpur, P.S -Maner, District -Patna
2. Ganesh Kumar @ Ganesh Rai Son of Late Rajnandan Rai Resident of Village- Kashpur, P.S -Maner, District -Patna
3. Sonu Kumar Son of Subhash Rai Resident of Village- Kashpur, P.S -Maner, District -Patna
4. Prince Kumar Son of Subhash Rai Resident of Village- Kashpur, P.S -Maner, District -Patna
5. Rikinsh Kumar @ Dhiraj Kumar Son of Subhash Rai Resident of Village- Kashpur, P.S -Maner, District -Patna
6. Pankaj Kumar @ Samir Kumar Son of Shivendra Rai Resident of Village- Kashpur, P.S -Maner, District -Patna
7. Ritik Kumar Son of Ganesh Rai Resident of Village- Kashpur, P.S -Maner, District -Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Singh, Advocate
For the Opposite Party/s : Mr. Binod Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 23-10-2024 Heard Mr. Shashi Bhushan Singh, learned Counsel

for the petitioners and Mr. Binod Kumar, learned APP for the

State.

2. The petitioners apprehend their arrest in connection

with Maner P.S. Case No. 355 of 2024 dated 10.06.2024

registered for the offences punishable under Sections 341, 323,

307, 379, 504, 506 and 34 of the Indian Penal Code.



3. The main submissions advanced by learned counsel appearing for the petitioners are that in the F.I.R., altogether eleven persons, including the petitioners, have been named but there is no specific allegation against them. The allegation of assaulting the informant by *lathi*, *danda* and *stone* is general and omnibus against the petitioners, the petitioners have fair and clean antecedent and during investigation, two witnesses, namely, Ram Bhawan Rai and Laxman Paswan revealed that the informant was taken by them to P.H.C., Maner, from where he was referred to P.M.C.H. but no injury report either from P.H.C., Maner or P.M.C.H. was issued, however, in collusion with the police, the informant produced his injury report from a private hospital, namely, Samay Hospital and the said injury report is completely unbelievable. It is further submitted that the F.I.R. of the instant matter is counter - blast of Maner P.S. Case No. 356 of 2024 which was lodged on behalf of the petitioner's side against the prosecution party and with an intention to create pressure upon the petitioners, the informant fabricated a false case.

4. Learned APP for the State has opposed the prayer for bail of the petitioners.

5. Considering the facts and circumstances of this



case as well as above submissions and mainly the nature of allegation appearing against the petitioners and also the fact that any specific role against any of the petitioners in committing the alleged occurrence has not been revealed and there is a case and counter case between both the parties, in my opinion, it is a fit case for anticipatory bail to the petitioners. Accordingly, let the petitioners named-above, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Maner P.S. Case No. 355 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

Neha/-

U		T	
---	--	---	--

