

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67553 of 2024

Arising Out of PS. Case No.-9 Year-2024 Thana- LUTUA District- Gaya

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1. Rajendra Bhuiyan @ Rajendra Kumar Son of Mahangu Bhuiyan Resident of Village- Lutua Tola Siyarmani, P.S. Lutua, District- Gaya
 2. Ravindra Bhuiyan Son of Jagdish Bhuiyan Resident of Village- Lutua Tola Siyarmani, P.S. Lutua, District- Gaya
 3. Gautam Bhuiyan @ Gautam Kumar Son of Bilash Bhuiyan Resident of Village- Lutua Tola Siyarmani, P.S. Lutua, District- Gaya
 4. Ramjee Bhuiyan @ Ramjee Kumar Son of Congress Bhuiyan Resident of Village- Lutua Tola Siyarmani, P.S. Lutua, District- Gaya
 5. Umesh Bhuiyan @ Umesh Manjhi Son of Fagu Bhuiyan Resident of Village- Lutua Tola Siyarmani, P.S. Lutua, District- Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh, Advocate
For the Opposite Party/s : Mr.Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 23-10-2024 1. Heard learned Counsel for the petitioners and learned APP for the State.
2. This application, for grant of anticipatory bail, arises out of Lutua PS case no. 09 of 2024, disclosing offences punishable under Section 379 and other allied sections of the Indian Penal Code.
3. The prosecution story, as per the First Information Report, is that the petitioners assaulted the informant, snatched his mobile, motorcycle, cash amount and electronic



measurement machine.

4. Learned Counsel for the petitioners submits that petitioners have falsely been implicated in this case due to the dispute regarding payment of wages to the petitioners by the informant as the petitioners are laborers and daily wage earners. Learned counsel further submits that during investigation, it is manifested that the dispute arose between informant and petitioners in connection with payments of wages. The petitioners are stated to be having no criminal antecedent

5. I have heard learned counsel for the petitioners and gone through the materials on record including the impugned order. From the impugned order, it is apparent that the witnesses have supported the prosecution case and the motorcycle of the informant has been recovered from the house of petitioner no. 5 namely Umesh Bhuiyan @ Umesh Manjhi

6. Having regard to the facts and circumstances of the case and taking into consideration the fact that motorcycle of informant has been recovered from the house of petitioner no. 5, I am not inclined to grant the privilege of anticipatory bail to the petitioner no. 5 i.e. Umesh Bhuiyan @ Umesh Manjhi, accordingly his prayer for bail stands rejected. However, considering the allegation in totality, I am inclined to grant



privilege of anticipatory bail to petitioners no. 1 to 4.

7. This application is, accordingly, partly allowed.

8. Let petitioners no. 1 to 4, abovenamed, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Sherghati, Gaya in connection with Lutua PS case no. 09 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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