

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67392 of 2024

Arising Out of PS. Case No.-374 Year-2023 Thana- CHAPRA TOWN District- Saran

1. Ravi Kumar Son of Gautam Mahto Resident of Sahebganj Butanbari Tola, P.S.- Nagar, Distt.- Saran
2. Sanni Kumar @ Shani Kumar Son of Gautam Mahto Resident of Sahebganj Butanbari Tola, P.S.- Nagar, Distt.- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kr Singh No.1

For the Opposite Party/s : Mr. Nand Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 13-12-2024 Heard learned Counsel for the petitioners and
learned APP for the State.

2. The petitioners apprehend their arrest in connection with Chapra Town P.S. Case No. 374 of 2023 for the offence registered under sections 147, 148, 149, 341, 323, 324, 307, 504, 506 of the IPC lodged on 06.05.2023 by the informant Md. Muski.

3. As per the prosecution story, the informant alleged that the accused persons used to make comments during their movement and when objected, the further allegation is that the named accused assembled and attacked the informant's side. The allegation is that Sundar, Prince, Manish and Sunil brutally



assaulted by rod/knife and upon presence of other villagers/locals, they escaped, the injured were shifted to Sadar Hospital, Chapra and then to PMCH, Patna.

4. It is the case of the petitioners that omnibus allegation has been made against the two brothers, specific allegation is against Sundar, Prince, Manish and Sunil, if granted relief, they shall be diligently appearing in trial.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that they are also named in the FIR.

6. Taking into account the aforesaid facts as also that specific allegation has come against Sundar, Prince, Manish and Sunil, omnibus allegation is against these two petitioners, they are young, brothers, have undertaken to diligently appear in trial, in this background, this Court is inclined to grant them the anticipatory bail with conditions.

7. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.MK., Saran at Chapra in connection with Chapra Town P.S. Case No. 374 of



2023 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioners, who shall provide official document to show his *bona fide*;

(ii) the petitioners shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioners shall appear before the concerned police station every fortnight for next one year to mark attendance;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioners shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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