

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73543 of 2024

Arising Out of PS. Case No.-240 Year-2024 Thana- CHAINPUR District- Kaimur (Bhabua)

1. Umesh Kushwaha @ Umesh Singh S/o Late Murahu Kushwaha Resident of Village- Raghubir Garh, P.S.- Chainpur, District- Kaimur at Bhabua
2. Dinesh Kushwaha @ Dinesh Kumar Singh @ Dinesh Kumar Kushwaha S/o Late Murahu Kushwaha Resident of Village- Raghubir Garh, P.S.- Chainpur, District- Kaimur at Bhabua
3. Yashwant Kushwaha @ Yaswant Kumar @ Jaswant Kumar @ Jashwant Kushwaha S/o Bijayi Kushwaha Resident of Village- Raghubir Garh, P.S.- Chainpur, District- Kaimur at Bhabua

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Raju Kumar Singh
For the Opposite Party : Mr.Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 23-10-2024 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Chainpur P.S. Case No. 240/2024 dated 29.06.2024 registered for the offence punishable u/s 147, 149, 323, 325, 308 and 379 of the Indian Penal Code.

3. As per the prosecution case, the petitioners and the co-accused persons started abusing and assaulting the informant on the head with *lathi* and *danda* with an intent to kill causing injury on his nose and below the eye. Further, the accused



persons also snatched Rs. 50,000/- from the pocket of the informant.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. There is general and omnibus allegation against the petitioners. Learned counsel has submitted that the injury no. 1 is simple in nature caused by hand and blunt substance whereas the injury no. 2 is grievous in nature caused by hard and blunt substance. The petitioners have no criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the prayer of anticipatory bail of the petitioners by submitting that the injury no. 2 is grievous in nature.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged 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 learned Court concerned, Kaimur at Bhabua in connection with Chainpur P.S. Case No. 240/2024, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure, with the



condition:-

(i). The petitioners are directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. This application stands allowed.

(Chandra Prakash Singh, J)

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