

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71784 of 2024

Arising Out of PS. Case No.-219 Year-2024 Thana- KONCH District- Gaya

1. Pappu Kumar Son of Late Arvind Singh Resident of Village - Murar Bigha, Police Station - Konch, District - Gaya.
2. Nitish Kumar Son of Late Arvind Singh Resident of Village - Murar Bigha, Police Station - Konch, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kamal Kumar Sinha, Adv.
For the Opposite Party/s : Mr. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 23-10-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with
Konch P.S. Case No. 219 of 2024 dated 28.05.2024, instituted
for the offence punishable under Sections 448, 341, 323, 307,
354, 379, 504, 506/34 of the Indian Penal Code.

3. The prosecution story, in brief, is that on the date of
occurrence at around 9 a.m. in the morning Pappu Kumar,
Nitish Kumar and Satish Kumar came to door of the informant
and asked to call her husband. When she called her husband, the
three persons started abusing him. On protest, the three accused
persons started beating her. Nitish Kumar caught her husband



from behind and Satish Kumar hit him on the head with a rod in his hand with intention of kill him. Blood started oozing out from his head. When she went to save her husband, Pappu Kumar disrobed her and threw her down by holding her hair and started beating her.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is submitted that there is specific allegation against the co-accused Satish Kumar, that he inflicted iron blow on the head of the husband of the informant causing injury. It is submitted that there is no specific allegation of assault against the petitioners rather the allegation is general and omnibus. It is also alleged that Pappu Kumar, Petitioner no. 1 disrobed the informant. It is submitted that during the scuffle, Petitioner No. 2, Nitish Kumar also became injured, who was examined at S.D.H. Tekari, Gaya on 29.05.2024 and was referred to ANMH, Gaya for further treatment. It is further submitted that both the sides have received injuries on the head. Lastly, it has been submitted that they have no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioners.

6. Having considered the facts and circumstances of



the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioners within a period of six weeks from today, in connection with Konch P.S. Case No. 219 of 2024, they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Gaya, subject to condition as laid down under Section 438(2) of the Cr.P.C..

(Khatim Reza, J)

prabhat/-

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

