

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74671 of 2024

Arising Out of PS. Case No.-262 Year-2023 Thana- BELAGANJ District- Gaya

1. Ranjan Kumar @ Chandan Kumar @ R.K. Gautam S/O Baban Sharma Resident of Village- Neyamatpur, P.S- Belaganj, Distt.- Gaya.
2. Suraj Kumar S/O Binu Sharma Resident of Village- Neyamatpur, P.S- Belaganj, Distt.- Gaya.
3. Rahul Kumar S/O Sanjay Kumar Resident of Village- Neyamatpur, P.S- Belaganj, Distt.- Gaya.

... .. Petitioner/s

Versus

The State Of Bihar advocate general

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aryan Singh

For the Opposite Party/s : Mr.Jharkhandi Upadhyay

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 14-11-2024 1. Heard the parties.

2. The petitioners apprehend their arrest in connection with Belaganj P.S. Case No. 262 of 2023 dated 22.04.2023 registered under Sections 147, 149, 323, 341, 504, 379, 153(A) of the I.P.C.

3. As per the prosecution case lodged by the informant / Md. Meraj Alam, on 21.04.2023 at about 8:15 in the evening while he along with his friends was going towards Gaya market and reached near Maharani petrol pump, he saw that an accident had taken place. Thereafter, he reached near the place of accident. In the meanwhile, the accused persons including the petitioners



and about 200 unknown persons assembled there and the petitioners and others started abusing the informant with filthy language, surrounded him and brutally assaulted him. The accused persons also snatched Rs. 40,000/- from the pocket of the informant.

4. Learned counsel for the petitioners submits that they have falsely been implicated in this case in order to create a defence in his favour as the informant dashed the motorcycle of one Pankaj Kumar, with his Alto car as a result of which the younger son of the informant of Belaganj P.S. Case No. 263 of 2023 sustained injury. He was admitted to A.I.I.M.S., Medanta and his brain was operated. At the time of accident, the informant - Md. Meraj was driving the vehicle. He came out of vehicle along with other accused persons, abused the people assembled there and also fired from his pistol. On shouting, one white vehicle bearing registration no. BR-01F-6979 along with 4-5 persons arrived there and they also started firing. Learned counsel further submits that the son of the informant of Belaganj P.S. Case No. 263 of 2023, who sustained grievous injury in the accident was fighting election of PACS. The informant and his supporters were also fighting PACS election. Some dispute had arisen between both sides and ultimately Pankaj Kumar was



elected as PACS Chairman. From perusal of the FIR it also appears that on the date of occurrence Police was present but no FIR was lodged by the Police against the petitioners and others. The petitioners have been made accused due to the aforesaid reason of accident and PACS election and they are not having criminal antecedent.

5. Regard being had to the submission made by the parties, taking into consideration the nature of allegation and the fact that counter version has been lodged by the side of the petitioners, I am inclined to grant anticipatory bail to the petitioners.

6. Let the petitioners, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Belaganj P.S. Case No. 262 of 2023 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

praful/-

(Anil Kumar Sinha, J)

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