

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80073 of 2023

Arising Out of PS. Case No.-118 Year-2023 Thana- PANDARAK District- Patna

1. RAVI KUMAR @ SUBODH KUMAR, Son Of Manohar Prasad Resident Of Village - Chhapedatar, P.S. - Pandarak, District - Patna
2. AJAY KUMAR, Son Of Ganeshi Prasad @ Ganesh Prasad Resident Of Village - Chhapedatar, P.S. - Pandarak, District - Patna
3. ANISH KUMAR @ MANISH RANJAN, Son Of Ajay Kumar Resident Of Village - Chhapedatar, P.S. - Pandarak, District - Patna
4. AMISH KUMAR @ AMISH RANJAN, Son Of Ajay Kumar Resident Of Village - Chhapedatar, P.S. - Pandarak, District - Patna
5. KUNDAN KUMAR, Son Of Ram Babu Prasad Resident Of Village - Chhapedatar, P.S. - Pandarak, District - Patna
6. TIRATH KUMAR, Son Of Dularchand Prasad Resident Of Village - Chhapedatar, P.S. - Pandarak, District - Patna
7. PALI @ PALI KUMAR @ JAI PRAKASH, Son Of Dularchand Prasad Resident Of Village - Chhapedatar, P.S. - Pandarak, District - Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Ms. Pooja Kumari, Advocate
For the State	:	Mr. Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 10-01-2024 Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 147, 148, 149, 341, 323, 307, 354, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, on the alleged date and time of occurrence, all the 11 FIR named accused persons,



including these petitioners, brutally assaulted the informant and his brother with lathi and iron-rod, causing head injury. It is further alleged that Petitioner Nos. 1, 2 and 3 also fired upon the informant.

4. It is submitted by learned counsel for the petitioners that though there is allegation of firing, no one has sustained any fire arm injury. Allegation of assault is general and omnibus and no specific allegation of overt act has been alleged against the petitioners. It is further submitted that as a matter of fact, brother of the informant had monetary dispute with co-accused Ajay Prasad and only due to being the agnate of Ajay Prasad, petitioners have falsely been implicated in this case.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail.

6. Considering the aforesaid facts and circumstances, the prayer for grant of anticipatory bail to the petitioners is allowed.

7. Accordingly, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioners be enlarged 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 A.C.J.M. I, Barh,



District- Patna, in connection with Pandarak P.S. Case No.118
of 2023, subject to condition as laid down under Section 438(2)
of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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