

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78656 of 2024

Arising Out of PS. Case No.-308 Year-2024 Thana- GARDANIBAG District- Patna

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1. Neeraj Kumar @ Neeraj Son of Butan Prasad Resident of Mohalla - Chitkohra Behind Masjid, P.S. - Gardanibagh, District - Patna
 2. Lallu Kumar Son of Lalu Mukhiya Resident of Mohalla - Chitkohra Behind Masjid, P.S. - Gardanibagh, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok
For the Opposite Party/s : Mr.Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 03-12-2024 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Gardanibag Police Station Case No. 308 of 2024, dated 25.06.2024, disclosing offences punishable under Sections 341/323/379/427/504/506/34 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that on 24.06.2024 in the morning, while the informant was at her home, the petitioners, along with other named accused persons and 4-5 unknown persons, came there, abused and assaulted her and when protested, they



assaulted the family members also and entered into the house of the informant, took away Rs. 20,000/- in cash, jewellery worth Rs. 50,000/- and destroyed the mobile of the son of the informant and also destroyed dressing table and motorcycle.

4. Learned Counsel for the petitioners submits that the petitioners are neighbours of the informant. The husband and son of the informant were assaulting their tenant and had locked the house and the people of the locality were requesting them to maintain tranquility. Thereafter, the informant and her family members started brick batting and when the local people protested, the informant called the police party by dialing 112. He further submits that altogether five named accused persons have filed anticipatory bail application before the learned Sessions Judge, Patna, out of which three have been granted anticipatory bail, having similar allegation, but the anticipatory bail application of the petitioners were rejected on the ground that the petitioners concealed their criminal antecedent in the bail application. He submits that inadvertently one criminal antecedent of the petitioners was not disclosed and the non-disclosure was



bona fide.

5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that the allegation against the petitioners is general and omnibus in nature and similarly situated co-accused has been granted anticipatory bail by learned District Court itself, I am inclined to grant the petitioners privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Patna, in connection with Gardanibag Police Station Case No. 308 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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