

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80395 of 2023

Arising Out of PS. Case No.-466 Year-2022 Thana- KHUSRUPUR District- Patna

1. Arya Kumar @ Niranjan Kumar @ Niranjan Son Of Ramayan Prasad R/O Chakhusain, Ward No. 8, P.S. - Khusrupur, Distt. - Patna
2. Ram Pravesh Kumar Son Of Avdhesh Singh R/O Vill - Malpur, P.S. - Khusrupur, Distt. - Patna
3. Santosh Kumar Son Of Vijay Singh R/O Choti Kali Sthan, Chakhusain, P.S. - Khusrupur, Distt. - Patna
4. Shambhu Kumar Son Of Arun Prasad Singh R/O Vill - Chainpur, P.S. - Khusrupur, Distt. - Patna
5. Sunny Kumar Son Of Kapindra Kumar R/O Vill - Champapur, P.S. - Bakhtiyarpur, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Anand
For the Opposite Party/s : Mr.Satyendra Narayan Singh

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 29-01-2024 Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

3. Learned counsel for the petitioner submits that the petitioner no. 1 has been arrested. Accordingly, he seeks permission to withdraw the present application.

4. Permission is accorded.



5. Accordingly, the present application of the petitioner No. 1 is dismissed as withdrawn.

6. The petitioners are apprehending their arrest in connection with Khusrupur P.S. Case No. 466 of 2022 dated 04.12.2022 registered for the offences punishable under Sections 384, 306, 504, 506 read with 34 of the Indian Penal Code.

7. As per the prosecution case, the informant was informed that the petitioner are forcibly cultivating his land. Upon which the informant along with his two brothers went there. Then, the petitioners started abusing them and on seeing arms on their hands, the informant and his brothers fled away. In the course of running, the condition of the informant's brother deteriorated who was already ill and he died after two days. On 02.12.2022, two persons from the accused side demanded 1 lac per *kattha* for the said land as *rangdari*.

8. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. The petitioners are accused in three other criminal cases as stated in para 3 of the bail petition. Learned counsel has submitted that there is no allegation of assault against the petitioners. There is general and omnibus allegation against the



petitioners. No offence u/s 384 of the I.P.C is made out against the petitioners.

9. Learned A.P.P. for the State has vehemently opposed the prayer of anticipatory bail of the petitioners.

10. Considering the aforesaid facts and circumstances of the case as well as the allegation being general and omnibus against the petitioners, 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, Patna City in connection with Khusrupur P.S. Case No. 466 of 2022, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

11. This application stands allowed.

(Chandra Prakash Singh, J)

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