

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78932 of 2024

Arising Out of PS. Case No.-64 Year-2024 Thana- AZIMABAD District- Bhojpur

1. Akshay Kumar S/O Ashok Prasad Resident of Village- Chilahar, Police Station- Azimabad, Distt.- Bhojpur.
2. Sunni Kumar @ Sunny Deo Kumar @ Sanni Kumar @ Sanni Deowal Kumar S/O Basant Prasad Resident of Village- Chilahar, Police Station- Azimabad, Distt.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh, Advocate

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 02-12-2024 Heard learned counsel for the petitioners and Mr. Tarun Prasad Mandal, learned APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Azimabad P.S. Case No. 64 of 2024 instituted for the offence under Sections 126(2), 115(2), 110, 352 and 3(5) of the Bhartiya Nyaya Sanhita (in short 'BNS'), 2023.

3. The case of the prosecution is that the petitioners along with others abused and assaulted the informant. They assaulted with *lathi* on his ear due to which he has injury on his ear. It is further alleged that he also received injury on the elbow of right hand.

4. During course of the argument, learned counsel for



the petitioners have submitted that from perusal of the FIR itself it is clear that the nature of injury is general and omnibus. The petitioner No.2 has got no criminal antecedent and petitioner No.1 has got one criminal antecedent in which he is on bail.

5. In contra, learned APP appearing for the State has opposed the prayer of bail of the petitioners.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Azimabad P.S. Case No. 64 of 2024, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) **each** with two sureties of the like amount each to the satisfaction from the court of learned court of Judicial Magistrate 1st Class, Arrah, Bhojpur subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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