

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81228 of 2023

Arising Out of PS. Case No.-610 Year-2023 Thana- MANER District- Patna

1. AVINASH KUMAR @ GANGADHAR KUMAR SON OF ANIL SINGH
RESIDENT OF VILLAGE - NARHANNA PS- MANER, DISTT- PATNA
2. CHANDRAHASH KUMAR @ SITTU @ BRIJBHUSHAN KUMAR SON
OF ANIL SINGH RESIDENT OF VILLAGE - NARHANNA PS- MANER,
DISTT- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Bhushan Prasad, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 21-03-2024 Heard Mr. Vijay Bhushan Prasad, learned counsel for
the petitioners and the State.

2. The petitioners are apprehending arrest in connection with Maner P.S. Case No. 610 of 2023 for the offence punishable under Sections 341, 323, 307, 354, 504, 506/34 of the Indian Penal Code and 27 of Arms Act lodged on 21.8.2023 by the informant, Ruby Devi.

3. As per the prosecution story, the informant alleged that she had gone to Danapur with her two daughters and sister-in-law. While her two daughters and sister-in-law were at the residence, when these petitioners came, abused them and opened fire. They also misbehaved with the younger daughter.



Only when the emergency no. 112 was called, they retreated.
Accordingly, the FIR.

4. Learned counsel for the petitioners submit they are related to each other, there is land dispute for which earlier also a case was lodged and in continuation of the same, the present case.

5. Learned APP opposes the prayer stating that only after 112 was called, they left the place. The allegation is also of misbehaving with the female inmates of the house.

6. Learned counsel for the petitioners submit if granted relief, the petitioners are ready to do community service by visiting the Library of Ram Nagina Singh Inter College, Maner every Saturday and will serve in the Library for next six months.

7. Considering the submission as also the FIR lodged, they are going to face the music, this Court is inclined to extend them the privilege of anticipatory bail subject to the condition that they shall be visiting the Ram Nagina Singh Inter College, Maner every working Saturday and the Principal shall issue certificates to this effect showing chart of the dates when the petitioners visited the College Library and the Principal shall send the certificate/chart directly to the Court.



8. Let the petitioners be released on bail, in the event of their arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each in connection with Maner P.S. Case No. 610 of 2023 to the satisfaction of learned J.M.-1st , Danapur subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member of the petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall co-operate in the investigation and make themselves available to the police as and when required;

(iv) the petitioners shall appear before the concerned police station every month for next one year to mark their attendance;

(v) the petitioners shall in no way try to induce or



promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(vi) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

9. List this case after six months under the heading 'To Be Mentioned' to peruse the report submitted by the Principal of the said College.

10. A copy of the order be sent to the Principal, Ram Nagina Singh Inter College, Maner for his perusal and to ensure that he submits report accordingly.

(Rajiv Roy, J)

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