

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79888 of 2023

Arising Out of PS. Case No.-292 Year-2023 Thana- KARAHGAR District- Rohtas

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1. ANIRUDDH SINGH SON OF SUKHNANDAN SINGH
 2. VIKAS KUMAR @ VIKASH SINGH SON OF ANIRUDDH SINGH
 3. ANGAD KUMAR @ ANGAD SINGH SON OF ANIRUDDH SINGH ALL RESIDENTS OF VILLAGE - KAUWADIH, P.S. - KARAGHAR, DISTRICT - ROHTAS (BIHAR)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh No.10, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 23-02-2024 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 325, 379, 307, 354(A), 448, 504, 506 and 34 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and have been falsely implicated in the present case at the instance of the informant based on general and omnibus allegation of assault. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that no reason for the occurrence has been given. It is next submitted that there was a dispute in



between the family of the petitioners and the informant with respect to land. It is also submitted that though in the FIR, it is alleged that petitioner no. 1 along with Uday Narayan and Rubi Kumari assaulted with sharp-edged weapon to Yashwant Kumar causing injury on his head but then there is no injury report of Yashwant Kumar on record. It is further submitted that as far as petitioners no. 2 and 3 are concerned, against them it is alleged that petitioner no. 2 along with Kamala Devi assaulted Malti Devi causing injury on hand and petitioner no. 3 along with Raju Singh assaulted Sushila Devi with lathi and danda causing injury on head. It is next submitted that no doubt allegation of assault is there but then the same is general and omnibus in nature. It is further submitted that the injury suffered by the injured is simple in nature but then the injury of Malti Devi and Sushila Devi is said to be grievous but then Malti Devi was assaulted on non-vital part of the body and as far as Sushila Devi is concerned, the allegation of assault is general and omnibus in nature. It is also submitted that petitioners will not abscond rather will cooperate in the investigation.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

5. Considering the submissions made by the learned



counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Karahgar P.S. Case No. 292 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. However, if the investigating officer of the case files an application before the learned trial court bringing to its notice that petitioners despite giving assurance to this Court are not cooperating in the investigation in that event the learned trial court shall be at liberty to cancel the bail bonds of the petitioners after recording reasons.

(Satyavrat Verma, J)

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