

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80258 of 2024

Arising Out of PS. Case No.-274 Year-2024 Thana- DIDARGANJ District- Patna

1. Kailash Kumar @ Kailash Prasad Son of Late Lalbabu @ Lal Dev Prasad Resident of village- Hiranandpur, PS- Didarganj, District- Patna
2. Vikash Kumar @ Vicky Kumar Son of Late Lalbabu @ Lal Dev Prasad Resident of village- Hiranandpur, PS- Didarganj, District- Patna
3. Amit Kumar Son of Shambhu Nath @ Shambhu Kumar Resident of village- Hiranandpur, PS- Didarganj, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Arvind Kumar Pradhan, Advocate
For the Opposite Party/s :	Mrs. Rita Verma, APP
For the Informant :	Mr. Anupam Prabhat Shrivastava, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 09-12-2024 Heard learned counsel for the petitioners and the learned A.P.P. for the State assisted by learned counsel for the informant.

2. The petitioners apprehend their arrest in connection with Didarganj P.S. Case No.274 of 2024 for the offences punishable under Sections 329(4)/126(2)/115 (2)/ 109/ 352/351 (3)/303 (2)/3 (5) of the B.N.S.

3. All the accused persons named in the F.I.R. having with deadly weapons came to the informant and assaulted the informant and his family members by their respective arms. They also took away household articles.



4. The petitioners are quite innocent and have been falsely implicated in this case due to ulterior motive. The allegations levelled against the petitioners is general and omnibus in nature. Both sides are co-villagers and gotiyas. There is case and counter case between the parties. In the aforesaid occurrence, both sides have sustained injuries. The petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Per contra, learned APP for the State assisted by learned counsel for the informant vehemently opposing the bail petition submitted that the allegations levelled against the petitioners is serious in nature, hence they do not deserve anticipatory bail.

6. Considering the facts and circumstances of case, I am not inclined to enlarge the petitioners on bail. The prayer for bail of the petitioners is hereby rejected. However, if the petitioners surrender before the learned Court below within six weeks from today and seek regular bail the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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