

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82786 of 2024

Arising Out of PS. Case No.-341 Year-2023 Thana- DIDARGANJ District- Patna

1. Suraj Rai @ Surya Narayan Singh S/O Ram Lakhan Singh Resident Of Village- Mahuli, Police Station- Didarganj, District- Patna.
2. Bittu Kumar S/O Suraj Rai @ Surya Narayan Singh Resident Of Village- Mahuli, Police Station- Didarganj, District- Patna.
3. Chunnu Kumar @ Rohit Kumar S/O Suraj Rai @ Surya Narayan Singh Resident Of Village- Mahuli, Police Station- Didarganj, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad

For the Opposite Party/s : Mr. Mohammed Arif

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 10-12-2024 Heard learned counsel for the petitioners, Mr. Mohammed Arif, learned APP for the State and learned counsel for the informant.

2. The instant application for anticipatory bail have been filed by the petitioners apprehending their arrest in connection with Didarganj P.S. Case No. 341/2023 registered for the offence under Sections 341, 323, 307,506 and 34 of the Indian Penal Code.

3. The case of the prosecution is that the informant is a tempo driver and he was in his tempo and at that time, these petitioners arrived and demanded *Rangdari*. When the



informant objected then he was assaulted with an iron rod. It is further alleged that all the petitioners took Rs. 5,000/- and golden locket.

4. Learned counsel appearing on behalf of the petitioners have submitted that petitioners are innocent and have committed no offence. They have falsely been implicated in the present case. From perusal of the FIR itself, it is clear that the nature of allegation is general and omnibus in nature though, the injury is not their on record but from perusal of the order of trial court it is clear that the nature of the injury is simple in nature. It is also submitted that the occurrence took place on 12th September, 2023 whereas the FIR was lodged on 07th October, 2023. There is an inordinate delay in filing the FIR. Petitioners are having no criminal antecedent.

5. In contra, learned APP appearing for the State and learned counsel for the informant have opposed the prayer of bail of the petitioner.

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 Didarganj P.S. Case No. 341/2023, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate -1st Class, Patna City subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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