

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83116 of 2024

Arising Out of PS. Case No.-1287 Year-2024 Thana- PHULWARISHARIF District- Patna

1. Kameshwar Prasad @ Kameshwar Sao @ Kameshwar Son of Bachchan Sao Resident of Village- Rashtriyaganj, P.S.- Phulwari Sharif, District - Patna
2. Dhanvanti Devi Wife of Kameshwar Prasad @ Kameshwar Sao @ Kameshwar Resident of Village- Rashtriyaganj, P.S.- Phulwari Sharif, District - Patna
3. Shyamsundar Kumar Son of Kameswar Prasad @ Kameshwar Sao @ Kameshwar Resident of Village- Rashtriyaganj, P.S.- Phulwari Sharif, District - Patna
4. Mukesh Kumar Son of Kameshwar Prasad @ Kameshwar Sao @ Kameshwar Resident of Village- Rashtriyaganj, P.S.- Phulwari Sharif, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Piyush Singh, Advocate
For the State	:	Mrs. Dr. Indihar Kumari, APP
For the Informant	:	Mr. Bijay Shankar Choubey, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

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

2. The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Phulwari Sharif P.S. Case No. 1287 of 2024 instituted for the offence under Sections 126(2), 115(2), 118(2), 118(1), 109, 332 , 351(2), (3)/3(5) of the B.N.S.

3. The case of the prosecution is that petitioners along with others being armed with lathi and iron rod entered in the



house of the informant and started assaulting indiscriminately to the husband of the informant along with her son, daughter and herself. It is further alleged that all the family members of the informant have received injuries.

4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have falsely been implicated in this case. It is further submitted that it is a dispute of two brothers and they are their relatives. They have no concern with the alleged occurrence. From perusal of the FIR, it is clear that the nature of allegation against the petitioners is general and omnibus and the injured persons have received simple injuries caused by hard and blunt substance. A statement has been made in para-3 of this petition that the petitioners have got no criminal antecedent.

5. Learned APP for the State and learned counsel for the informant have 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 Phulwari Sharif P.S. Case No. 1287 of 2024, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/-



(Rupees ten thousand) each of them with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-XIV, Patna subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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