

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83003 of 2024

Arising Out of PS. Case No.-256 Year-2024 Thana- KAKO District- Jehanabad

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1. Ranjit Kumar @ Sulu Kumar, Son of Jagdish Yadav @ Jagdish Prasad, Resident of Village- Rasalpur, P.S.- Kako, Distt- Jehanabad
 2. Sanjit Kumar, Son of Jagdish Yadav @ Jagdish Prasad, Resident of Village- Rasalpur, P.S.- Kako, Distt- Jehanabad
 3. Jagdish Yadav @ Jagdish Prasad, Son of Late Ramanand Yadav, Resident of Village- Rasalpur, P.S.- Kako, Distt- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Paras Nath, Advocate
For the Opposite Party/s : Mr.Harendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 11-12-2024 Heard learned counsel for the petitioners and Mr. Harendra Prasad, learned APP for the State.

2.The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Kako P.S. Case No.256 of 2024 instituted for the offence under Sections 126(2), 115(2), 109, 352, 351(2) and (3) of the B.N.S. Act.

3. The case of the prosecution is that when the informant was returning from Jehanabad, the accused persons stopped him. They gave a *Garasa* blow on the thumb of the informant and on head. When the mother of the informant came



to rescue, she was also being assaulted by the petitioners.

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 due to village politics. It is further submitted that from perusal of the order of the trial Court, it transpires that the injuries received by the informant and his mother are of simple nature. Only one injury which is lacerated wound of right thumb is grievous in nature. From perusal of the F.I.R., it is clear that the allegation is that a *Garasa* blow was given on the right thumb of the informant whereas a lacerated wound is found on the right thumb by the doctor. The injury does not correlate with the allegation. Petitioners are having antecedent of two cases and in those case they are acquitted.

5. In contra, learned APP appearing for the State has 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 Kako P.S. Case No. 256 of



2024, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Jehanabad subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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