

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87016 of 2024

Arising Out of PS. Case No.-208 Year-2024 Thana- Sahayak Khajanchi District- Purnia

1. Ratan Mohan Bhagat S/o Late Ram Lal Bhagat R/o vill - Sudin Chowk Chhath Pokhar Road, Tatma Toli, P.S. - Sahayak Khazanchi (K. Hat), Distt.- Purnea
2. Diwakar @ Diwakar Jaiswal S/o Ratan Mohan Bhagat R/o vill - Sudin Chowk Chhath Pokhar Road, Tatma Toli, P.S. - Sahayak Khazanchi (K. Hat), Distt.- Purnea
3. Prabhakar @ Prabhakar Jaiswal S/o Ratan Mohan Bhagat R/o vill - Sudin Chowk Chhath Pokhar Road, Tatma Toli, P.S. - Sahayak Khazanchi (K. Hat), Distt.- Purnea
4. Nitish Kumar @ Shashi Jayaswal @ Prince Kumar S/o Ratan Mohan Bhagat R/o vill - Sudin Chowk Chhath Pokhar Road, Tatma Toli, P.S. - Sahayak Khazanchi (K. Hat), Distt.- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Soni Shrivastava, Advocate
		Mr. Ram Prawesh Kumar, Advocate
For the Opposite Party/s	:	Mr. Choubey Jawahar, APP
For the Informant	:	Md. Fazle Karim, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-12-2024 Heard learned counsel for the petitioners, learned counsel for the informant and learned APP for the State.

2. At the very outset, learned counsel for the petitioners seeks permission to withdraw the prayer for anticipatory bail of the petitioner no. 2.

3. Permission is granted.

4. Accordingly, the prayer for anticipatory bail made through the instant application, on behalf of the petitioner no. 2



is dismissed as withdrawn.

5. However, petitioner no.2 is at liberty to surrender before the learned Court below within six weeks from today and seek regular bail and the learned Court below would pass the order, preferably, on the same day, in accordance with law, without being prejudiced of this order.

6. Now, the present application is being heard for consideration of bail of the petitioner nos. 1, 3 and 4.

7. The petitioners apprehend their arrest in a case registered for the offence punishable u/s 191(2)/ 126(2)/ 115(2)/ 109/ 303(2)/ 329(3)/ 352/ 351(2) of the B.N.S.

8. Allegedly, all FIR named accused persons including the petitioners armed with weapons, entered into the house of the informant and assaulted the informant and his family members. They also took away two lakhs cash and jewellery from the house of the informant.

9. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to land dispute. No such occurrence, in the manner as alleged, has ever taken place. It is submitted that as per injury report annexed as annexure 2 of the bail application, all injuries were found to be



simple in nature except one, which is grievous in nature. Petitioner no. 1 and 4 have two criminal antecedent and petitioner no. 3 has three criminal antecedent as mentioned in para 3 of the bail application.

10. Learned APP for the State and learned counsel for the informant opposed the prayer for bail.

11. Having regard to the facts and circumstances of the case, since there is no specific overt act against the petitioner nos. 1, 3 and 4 rather the allegations are general and omnibus in nature, let the above named petitioner nos. 1, 3 and 4, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five 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 Sahayak Khazanchi P.S. Case No.208 of 2024, subject to the conditions as laid down under Section 482(2) of BNSS, 2023.

(Anjani Kumar Sharan, J)

priyanka/-

U		T	
---	--	---	--

