

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85216 of 2024

Arising Out of PS. Case No.-82 Year-2024 Thana- PIRI BAZAR District- Lakhisarai

1. Rajesh Kumar S/o Late Arjun Mahto R/o vill - Gari Bishanpur, P.S. - Piri Bazar, Distt.- Lakhisarai
2. Sanju Kumari D/o Late Arjun Mahto R/o vill - Gari Bishanpur, P.S. - Piri Bazar, Distt.- Lakhisarai
3. Pintu Kumar S/o Late Arjun Mahto R/o vill - Gari Bishanpur, P.S. - Piri Bazar, Distt.- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Sinha
For the Opposite Party/s : Mr. Shakir Ahmad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-12-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. At the very outset, learned counsel for the
petitioners seeks permission to withdraw this application with
regard to petitioner no. 1.

3. Permission is granted.

4. Accordingly, the instant application with regard
to petitioner no. 1 is dismissed as withdrawn. However, if the
petitioner no. 1 surrenders before the learned Court below
within a period of six weeks from today and seeks regular bail,
the learned Court below would pass the order, preferably, on the



same day, without being prejudiced by this order, considering the fact that the petitioner no. 1 is aged about 62 years.

5. Now, this application is being heard only with regard to petitioners no. 2 and 3.

6. Heard learned counsel for the petitioners and learned A.P.P. for the State.

7. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 307/34 of the Indian Penal Code.

8. As per the prosecution case, the petitioners along with other co-accused persons are said to have assaulted the informant and his family members.

9. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that there is no specific overt act against petitioners no. 2 and 3. Petitioners have one criminal antecedent as mentioned in para-3 of this application.

10. Learned APP for the State opposes prayer for anticipatory bail.

11. Having regard to the facts and circumstances of



the case and the fact that there is no specific overt act against the petitioners no. 2 and 3, let the above named petitioners no.2 and 3, 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 lower Court where the case is pending/successor Court in connection with Piri Bazar P.S. Case No.82 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

12. Accordingly, this application is partly allowed.

(Anjani Kumar Sharan, J)

anand/-

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