

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3009 of 2024

Arising Out of PS. Case No.-187 Year-2023 Thana- DHANAHA District- West Champaran

1. Vishal Prasad @ Sundram Yadav S/O DIGVIJAY PRASAD @ DIGVIJAY PRASAD YADAV VILL TAMKUHA W.NO. 06 PS DHANAHA DIST WEST CHAMPARAN
2. NIHAL PRASAD @ KRISHNA KUMAR YADAV S/O DIGVIJAY PRASAD @ DIGVIJAY PRASAD YADAV VILL - TAMKUHA W.NO. 06 PS DHANAHA DIST WEST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra
For the Opposite Party/s : Mr.Arun Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 20-02-2024 Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

3. The petitioners are apprehending their arrest in connection with Dhanaha P.S. Case No. 187 of 2023, dated 14.09.2023 for the offences punishable under Sections 341, 323, 307, 354, 379, 504, 506/34 of the Indian Penal Code.

4. As per prosecution case, the allegations against the petitioners and other co-accused persons are of assaulting the



informant husband with *lathi*, *danda* and rod and also snatched golden chain worth Rs. 20,000/-from the informant neck.

5. Learned counsel for the petitioners has submitted that the petitioners are innocent and has falsely been implicated in this case. The petitioner no. 1 has one criminal antecedent in which he is on bail whereas the petitioner no. 2 has no criminal antecedent as stated in para 3 of the bail petition. There is no eye-witness of the present occurrence. From perusal of the injury report, the informant's husband sustained grievous injury on his head while the informant injury is found to be simple in nature. There is general and omnibus allegation against the petitioners.

6. Learned APP for the State has vehemently opposed the prayer for anticipatory bail of the petitioners.

7. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation levelled against the petitioners, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the learned court concerned, Bagaha, District- West Champaran in connection



with Dhanaha P.S. Case No. 187 of 2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure with the following condition:-

- (i) The petitioners are directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, their bail bonds are liable to be cancelled.

8. The application stands allowed.

(Chandra Prakash Singh, J)

Ranjeet/-

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