

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1737 of 2024

Arising Out of PS. Case No.-163 Year-2023 Thana- KHUDAGANJ District- Nalanda

1. Chhotan Gope son of Maghan Gope R/o vill-Bauri Deeh PS-Khudaganj Dist-Nalanda
2. Jitendra Kumar s/o Satyendra Gope R/o vill-Bauri Deeh PS-Khudaganj Dist-Nalanda
3. Sonu Gope s/o Satyendra Gope R/o vill-Bauri Deeh PS-Khudaganj Dist-Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Ajit Ranjan Kumar, Advocate
For the State	:	Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 07-02-2024 Heard learned counsels for the parties.

2. At the outset, learned counsel appearing on behalf of the petitioners seeks permission to withdraw the anticipatory bail application on behalf of Petitioner Nos. 2 and 3, namely Jitendra Kumar and Sonu Gope, as during pendency of this case, Petitioner Nos. 2 and 3 have already surrendered before the court below and as such the same has become infructuous.

3. Permission accorded.

4. The anticipatory bail application on behalf of Petitioner Nos. 2 and 3 is dismissed as withdrawn.

5. Petitioner No. 1 apprehends his arrest in a case



registered for the offence punishable under Sections 147, 148, 149, 341, 323, 307 and 506 of the Indian Penal Code.

6. As per prosecution case, on the alleged date and time of occurrence, all the F.I.R. named accused persons, including this petitioner, came and assaulted the informant. It is further alleged that co-accused Ravi Kumar assaulted the informant and one Neeraj Kumar hit garasa on the head.

7. It is submitted by learned counsel appearing on behalf of the petitioners that the specific accusation of assault is against co-accused Ravi Kumar and Neeraj Kumar. The allegation of assault against this petitioner is general and omnibus and no specific allegation of overt act has been alleged against the petitioner.

8. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail.

9. Considering the aforesaid facts and circumstances and nature of accusation, the prayer for grant of anticipatory bail to the Petitioner No. 1 is allowed.

10. Accordingly, in the event of arrest/surrender within a period of six weeks from today, let Petitioner No.1, namely Chhotan Gope, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like



amount each to the satisfaction of learned J.M. Ist Class, Hilsa, Nalanda, in connection with Khudaganj P.S. Case No.163 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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