

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2754 of 2024

Arising Out of PS. Case No.-0460 Year-2023 Thana- RAMGARH District- Kaimur (Bhabua)

1. Abhishek Kumar Alias Abhishek Singh, Son of Musafir Singh @ Mosafir Singh, R/o Village- Purusotampur, P.S.- Ramgarh, District- Kaimur at Bhabua
2. Vivek Kumar @ Vivek Singh, Son of Musafir Singh @ Mosafir Singh, R/o Village- Purusotampur, P.S.- Ramgarh, District- Kaimur at Bhabua
3. Ranjeet Singh, Son of Musafir Singh @ Mosafir Singh, R/o Village- Purusotampur, P.S.- Ramgarh, District- Kaimur at Bhabua
4. Musafir Singh @ Mosafir Singh, S/o Late Budddu Singh, R/o Village- Purusotampur, P.S.- Ramgarh, District- Kaimur at Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate
For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 31-01-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. In this present case, the petitioners are apprehending their arrest in connection with Ramgarh P.S. Case No. 460 of 2023, registered for the offences under Sections 341, 323, 307 and 324/34 of the Indian Penal Code.

3. As per prosecution case, petitioners assaulted the informant with sword under the impression that the informant was saying wrong thing about them.

4. Learned counsel for the petitioners submits that the



petitioners are innocent and have been falsely implicated in this case. There is general and omnibus allegation against the petitioners. No specific overt act has been alleged against them. Scuffle took place between the parties with regard to irrigation of land and informant fell down and received single injury on hand. Injury report shows that the injury caused by hard and blunt substance and this falsifies the accusation against the petitioners for causing injury by sword. From the facts of the case, no offence under Section 307 is made out against the petitioners. Petitioners are having clean antecedent.

5. Learned APP opposes the prayer for anticipatory bail.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the absence of any sharp cut injuries on the informant and also considering the possibility of false implication, let the petitioners above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 20,000/- (Rupees Twenty Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st, Sub-Divisional Court, Mohania, Kaimur



at Bhabua/concerned court in connection with Ramgarh P.S.
Case No. 460 of 2023, subject to the conditions as laid down
under Section 438(2) of the Code of Criminal Procedure and
other following conditions:

- (i) One of the bailors will be a close relative of the
petitioners.
- (ii) The petitioners will remain present on each and
every date fixed by the court below, if so required
by the learned trial court.

(Arun Kumar Jha, J)

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