

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3355 of 2025

Arising Out of PS. Case No.-611 Year-2024 Thana- AURANGABAD TOWN District-
Aurangabad

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1. Satish Kumar @ Satish Malakar S/o- Sanjay Kumar Malakar Village- Tikri Muhalla, P.S- Aurangabad Town, District- Aurangabad
 2. Rishikesh Paswan @ Golden Paswan S/o- Tarachand Paswan Village- Tikri Mor, P.S- Aurangabad Town, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Mukul Kumari, Advocate

For the Opposite Party/s : Mr. Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 24-01-2025 Heard learned counsel for the petitioners and Mr. Kalyan Shankar, learned APP for the State.

2. The instant application for anticipatory bail have been filed by the petitioners apprehending their arrest in connection with Aurangabad P.S. Case No. 611 of 2024, G.R. No. 2602 of 2024 instituted for the offence under Sections 126(2), 115(2), 118(2), 352, 351(2), 3(5) of the BNS of 2023 respectively under Sections 341, 323, 326, 504, 506/34 of the Indian Penal Code.

3. The case of the prosecution is that the informant is having a mobile shop, one Babu Ansari has given his mobile for repairing and when the mobile was not repaired, he started abusing being accompanied by other persons. It is further



alleged that all the accused persons assaulted Md. Danish Alam, Md. Rajiv Alam and Md. Adil by means of knife. It is also alleged in the FIR that Md. Adil received injury in his eye due to which he is having abrasion in the eye. It is further alleged that all the accused persons indiscriminately assaulted the informant and his elder brother. Accordingly, the FIR.

4. Learned counsel appearing on behalf of the petitioners have submitted that petitioners are innocent and have committed no offence. They have falsely been implicated in this case. During the course of argument, learned counsel for the petitioners have submitted that there is also a counter version of this case and from perusal of the injury report, it transpires that all the injuries are simple in nature. Further submission is that the nature of allegation is general and omnibus. Similarly situated other co-accused person has already been granted anticipatory bail by this Court vide order dated 10.12.2024 in Cr. Misc. No. 82831 of 2024.

5. In contra, learned APP appearing for the State opposed the prayer of bail of the petitioners.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Aurangabad Town P.S. Case No. 611 of 2024,



G.R. No. 2602 of 2024, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Aurangabad subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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