

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6901 of 2025

Arising Out of PS. Case No.-524 Year-2024 Thana- GARKHA District- Saran

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1. Chhathu Ram S/o Late Ramnath Ram R/o Village - Babhnaiya, P.S - Garkha, Distt.- Saran
 2. Suraj Kumar S/o Chhathu Ram R/o Village - Babhnaiya, P.S - Garkha, Distt.- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar Srivastva
For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 21-03-2025 1. Learned Counsel for the petitioners informs that the petitioner no. 1, Chhathu Ram, has been arrested by the police during the pendency of this application and this application, so far as petitioner no. 1 is concerned, has become infructuous.
2. Accordingly, this application, so far as petitioner no. 1, is concerned, is dismissed as having become infructuous.
3. This application will now survive only for petitioner no. 2.
4. Heard learned Counsel for the petitioner no. 2 and learned Additional Public Prosecutor for the State.
5. This application, for grant of anticipatory bail, arises out



of Garkha Police Station Case No. 524 of 2024, dated 20.08.2024, disclosing offences punishable under Sections 126(2)/115(2)/118(1)/109/303/352/3(5) of the Bhartiya Nyaya Sanhita, 2023.

6. The prosecution case, as per the First Information Report, is that on 18.08.2024, at about 08:30 PM, the brother of the informant, namely, co-accused Chhathu Ram had broken the boundary wall of the house of the informant and when the informant went to the house of the accused persons to enquire about the matter, all the accused persons caught him and the petitioner and co-accused Aruna Ram ordered to kill the informant, upon which Chhathu Ram started assaulting the informant by means of dab, due to which he sustained injuries.
7. Learned Counsel for the petitioner no. 2 submits that the petitioner is innocent and has falsely been implicated in this case due to previous enmity. The father of the petitioner no. 2 is the own brother of the informant and there is land dispute between them. There is general and omnibus allegation against the petitioner. The specific allegation of assault upon the informant is against co-accused Chhathu Ram.



8. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that the allegation against the petitioner is general and omnibus in nature, and he, at best, can be alleged to be an order giver, I am inclined to grant the petitioner no. 2 privilege of anticipatory bail.
9. This application is, accordingly, allowed.
10. Let the petitioner no. 2, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released 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 4th Additional Chief Judicial Magistrate, Saran, at Chapra, in connection with Garkha Police Station Case No. 524 of 2024, subject to the condition laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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