

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47973 of 2024

Arising Out of PS. Case No.-78 Year-2024 Thana- KHIRI MORE District- Patna

1. Shiv Narayan Bind S/o Basudev Bind Resident of village Tola Bigha, Hemanpur, P.S.-Khiri More, District-Patna
2. Ram Narayan Bind @ Narayan Bind S/o Basudev Bind Resident of village Tola Bigha, Hemanpur, P.S.-Khiri More, District-Patna
3. Basudev Bind S/o Musafir Bind Resident of village Tola Bigha, Hemanpur, P.S.-Khiri More, District-Patna
4. Ranjeet Kumar @ Ranjeet Kumar Nirala S/o Ram Narayan Bind Resident of village Tola Bigha, Hemanpur, P.S.-Khiri More, District-Patna
5. Anant Bind @ Ananth Bind @ Annath Bind S/o Late Devki Bind Resident of village Tola Bigha, Hemanpur, P.S.-Khiri More, District-Patna
6. Krishna Bind S/o Basudev Bind Resident of village Tola Bigha, Hemanpur, P.S.-Khiri More, District-Patna
7. Dharmendra Kumar S/o Krishna Bind Resident of village Tola Bigha, Hemanpur, P.S.-Khiri More, District-Patna
8. Ashok Bind @ Ashok Kumar S/o Lakhan Bind @ Ram Lakhan Bind Resident of village Tola Bigha, Hemanpur, P.S.-Khiri More, District-Patna
9. Deepa Kumar @ Deepak Kumar S/o Ashok Kumar Resident of village Tola Bigha, Hemanpur, P.S.-Khiri More, District-Patna
10. Lakhan Bind @ Ram Lakhan @ Ram Lakhan Bind S/o Late Devki Bind Resident of village Tola Bigha, Hemanpur, P.S.-Khiri More, District-Patna
11. Mithun Kumar S/o Anant Bind Resident of village Tola Bigha, Hemanpur, P.S.-Khiri More, District-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Majid Mahboob Khan, Advocate
For the Opposite Party/s : Mr. Prem Kumar Jha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 29-01-2025

1. Heard learned counsel for the petitioners and learned

A.P.P. for the State.

2. The petitioners apprehend their arrest in a case
registered for the offences punishable under Sections 147, 148, 149,



341, 323, 379, 307 and 354 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that petitioner no. 1 has antecedent of two cases, petitioner no. 2 has antecedent of one case and petitioners no. 3 to 11 are persons with clean antecedent and the informant alleges that his nephew (Suresh Kumar) went to his field for some work when named accused persons including the petitioners came variously armed. Further, Dev Narayan Bind and Shailesh Kumar were carrying pistol and both the accused assaulted Suresh Kumar on point of pistol. On alarm, the family members of Suresh Kumar came when accused persons assaulted them and acted inappropriately with the female members.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case with general and omnibus allegation of assault. It is further submitted that no doubt, in the FIR, it is alleged that Dev Narayan Bind and Shailesh Kumar were carrying arms but then the case has not been instituted under the Arms Act nor anyone received any firearm injury nor any cartridges were found from the place of occurrence, as such, the said allegation was levelled only to give seriousness to the case. It is next submitted that even Suresh Kumar, who is alleged to have been assaulted, suffered simple injury. It is also submitted that from side of the petitioners also Khiri More P.S. Case No. 79 of 2024 was instituted. It is submitted that between the side of the petitioners and the informant both civil and criminal cases are pending as has been



detailed in para 8 of the anticipatory bail application.

5. Learned A.P.P. for the State and learned counsel appearing on behalf of the informant opposed the prayer for anticipatory bail of the petitioners but then are not in a position to rebut the submissions of the learned counsel appearing on behalf of the petitioners that the allegation of assault is general and omnibus in nature and Suresh Kumar has received simple injury.

6. Considering the submissions made by the learned counsel for the petitioners, let the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Khiri More P.S. Case No. 78 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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