

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41135 of 2025

Arising Out of PS. Case No.-297 Year-2024 Thana- SHERGHATI District- Gaya

1. Kartik Kumar @ Kartik Kumar Khuswaha S/o Shankar Prasad @ Shankar Mahto R/o Village- Chapi, P.S.- Sherghati, District- Gaya
2. Ranjit Kumar @ Ranjit Kumar Mandal S/o Shankar Mahto R/o Village- Chapi, P.S.- Sherghati, District- Gaya
3. Dilip Kumar S/o Dashrath Mahto R/o Village- Chapi, P.S.- Sherghati, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surendra Kumar Singh, Advocate

For the State : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 09-07-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest in connection with Sherghati P.S. Case No. 297 of 2024 for the offence registered under Sections 341, 323, 307, 354, 504, 506, 379, 34 of the IPC lodged on 27.05.2024 by the informant Nitesh Kumar.

3. As per the prosecution story, the informant alleged that on the point of use of boring, the agnates resorted to free fights in which allegation is that Kartik Kumar assaulted the father of the informant by iron rod causing injuries. Against the other accused, allegation of assault and snatching of gold chain is/are also there. The father and the brother were shifted to Gaya Hospital. This led to the FIR.



4. Learned counsel for the petitioners submits that they do not have criminal antecedent, are agnates, a minor scuffle has been given a different colour.

5. Learned APP Mr. Jitendra Kumar Singh, on the other hand, has taken this Court to the injury report to show that the injuries inflicted by petitioner no. 1, Kartik Kumar on the informant's father Rabindra Kumar Singh has been found to be grievous in nature.

6. Taking into account the aforesaid fact, so far as the petitioner no. 1, Kartik Kumar is concerned, his anticipatory bail application is rejected.

7. Regarding petitioner nos. 2 and 3, namely, Ranjit Kumar @ Ranjit Kumar Mandal and Dilip Kumar, since they have no criminal antecedent, only omnibus allegation is there, they have undertaken to diligently appear in the trial, this Court is inclined to grant them the anticipatory bail with conditions.

8. Let the petitioner nos. 2 and 3, above named, in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Gaya in connection with Sherghati P.S. Case No. 297 of 2024 subject to condition as laid down under Section 438 (2) of



the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioners, who shall provide official document to show is *bona fide*;

(ii) the petitioners shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioners shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioners shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

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