

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65560 of 2024

Arising Out of PS. Case No.-12 Year-2021 Thana- PASRAHA District- Khagaria

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1. Chandan Kumar Son of Ajay Sharma Resident of Village - Jhanjhra, P.S. - Pasraha, District - Khagaria
 2. Monu Kumar Son of Ajay Sharma Resident of Village - Jhanjhra, P.S. - Pasraha, District - Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ranjeet Kumar Singh, Adv.
For the State	:	Mr. Mohammad Sufyan, APP.

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 06-05-2025 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 341, 323, 307, 379, 354, 385, 504, 506 of the Indian Penal Code.

3. The allegation in the FIR has been made against four accused persons including the petitioners and 4-5 other unknown persons of having come to the *bathan* of the informant and indulging in assault with the informant and her family. Further allegation is that in pursuance of the same, they assaulted the informant, her husband and her daughter-in-law on the head, causing injuries and also took away some cash and articles.



4. Learned counsel for the petitioners submits that the allegations levelled in the FIR are not correct and there are general and omnibus allegations levelled against all the accused persons which also include 4-5 unknown persons. It is further submitted that there is no specific allegation with regard to the petitioners, but for the allegation against petitioner no.2 of having snatched an earring from the daughter-in-law of the informant. It is further submitted that after investigation, the police has submitted final form in favour of the petitioners and cognizance has been taken against the petitioners also by differing with the said final form. The further submission is that Pasraha P.S. Case No. 07/2021 has also been lodged by one Pratap Sharma, who is the uncle of the petitioners against the husband of the informant and this is the reason why the petitioners have been framed in the present case. In para 10 of the petition, it has also been stated that the petitioners are students and preparing for competitive examination. It is further submitted that the nature of injuries suffered by the husband of the informant and her daughter-in-law appear to be simple in nature and caused by hard and blunt substance as noted in paragraphs 113 and 114 of the case diary.

5. Learned APP for the State opposes the prayer for



anticipatory bail submitting that the injury report of the informant discloses one grievous nature of injury upon the informant.

6. Considering the facts and circumstances of the case and particularly that the petitioners are students with no criminal antecedent and a final form had been submitted in their favour after the investigation, I am inclined to grant the privilege of anticipatory bail to the petitioners. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Khagaria in connection with Pasraha Case No. 12 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C/ 482 (2) of the BNSS, 2023 and further condition that the petitioners shall cooperate in the trial and would be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court till the charges are framed in the case.

(Soni Shrivastava, J)

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