

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73922 of 2024

Arising Out of PS. Case No.-275 Year-2024 Thana- CHAPRA MUFFASIL District- Saran

1. Nitish Kumar Prasad @ Nitesh Kumar S/o- Bijay Kumar Prasad @ Vijay Prasad Village- Basarhi Ps- Chapra Muffasil Dist- Saran
2. Sachin Kumar Prasad @ Sachin Kumar @ Sachin Prasad S/o- Bijay Kumar Prasad @ Vijay Prasad Village- Basarhi Ps- Chapra Muffasil Dist- Saran
3. Lalita Prasad @ Lalita Devi W/o- Bijay Kumar Prasad @ Vijay Prasad Village- Basarhi Ps- Chapra Muffasil Dist- Saran
4. Mamta Kumari @ Mamta Devi Sachin Kumar Prasad @ Sachin Kumar @ Sachin Prasad Village- Basarhi Ps- Chapra Muffasil Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bashishtha Narayan Mishra, Advocate Mr. Brij Kishor Mishra, Advocate
For the State	:	Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 22-01-2025 Heard Ld. counsel for the petitioners and Ld. APP for the State.

2. The present petition has been filed on behalf of the petitioners, apprehending their arrest, in connection with Chapra Muffasil P.S. Case No. 275 of 2024, registered for the offences punishable under Sections 341, 323, 324, 325, 307, 354, 504, 506 read with Section 34 of the Indian Penal Code.

3. As per the allegation, the petitioners have assaulted the informant and his family members.

4. Ld. counsel for the petitioners submits that the



Petitioners are innocent and has falsely been implicated in this case. He further submits that as a matter of fact, there was altercation between the two sides on account of land dispute, in which both sides have got injury. He further submits that there is a case and counter case between the parties.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioners have no criminal antecedents.

7. Ld. APP for the State vehemently opposes the prayer of the Petitioners for bail.

8. Considering the aforesaid facts and circumstances, particularly case and counter case, **this petition is allowed**, directing the petitioners above-named, to be enlarged on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Ld. C.J.M., Saran at Chapra in connection with Chapra Muffasil P.S. Case No. 275 of 2024, subject to the conditions as laid down under



Section 438 (2) Cr.P.C. and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents, Ld. court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J.)

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