

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79431 of 2024

Arising Out of PS. Case No.-98 Year-2024 Thana- DARPA District- East Champaran

1. Rampukar Singh S/o- Ramchandra Singh Village- Tinkoni Ps- Darpa District- East Chamaparan
2. Ramashankar Singh S/o- Ramchandra Singh Village- Tinkoni Ps- Darpa District- East Chamaparan
3. Tribhuwan Singh @ Tribhun Kumar S/o- Ram Shankar Singh Village- Tinkoni Ps- Darpa District- East Chamaparan
4. Prince Kumar S/o- Rampukar Singh Village- Tinkoni Ps- Darpa District- East Chamaparan
5. Priyanshu Kumar S/o- Ram Pukar Singh Village- Tinkoni Ps- Darpa District- East Chamaparan
6. Kavita Devi W/o- Ram Pukar Singh Village- Tinkoni Ps- Darpa District- East Chamaparan
7. Anita Devi S/o-Ram Shankar Singh Village- Tinkoni Ps- Darpa District- East Chamaparan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Rajesh Kumar, Advocate
For the State	:	Mr. Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 03-01-2025

Heard learned counsels for the parties.

2. The prayer for grant of anticipatory bail on behalf of Petitioner No. 3, namely Tribhuwan Singh @ Tribhun Kumar, has already been dismissed as withdrawn vide order dated 28.11.2024.

3. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 126(2),



115(2), 324(4), 109(1), 303(2), 74, 352, 351(2) and 3(5) of the B.N.S.S..

4. As per prosecution case, on 08.07.2024 at about 7 P.M., all the accused persons named in the F.I.R., including these petitioners, armed with *lathi*, sword, *khanti* and hammer, came at the house of informant and started breaking the window of his house. Upon objection, all the accused persons assaulted informant and his family members, as a result of which they received several injuries. It is further alleged that they also looted cash and other household articles.

5. It is submitted by learned counsel appearing on behalf of the petitioners that petitioners are innocent and have falsely been implicated in this case. As per F.I.R., Petitioner No. 1, namely Rampukar Singh and co-accused Ram Janam Kumar are alleged to have assaulted informant, as a result of which he sustained multiple injuries. It is further submitted that injuries alleged caused by other petitioners have been found to be simple in nature and there are general and omnibus allegations against them.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners and submitted that petitioners are named in the



F.I.R. and there is specific accusation of assault against them.

7. Considering the aforesaid facts and circumstances and nature of accusation, the prayer for grant of anticipatory bail to Petitioner No. 1 is rejected.

8. So far as Petitioner Nos. 2, 4, 5, 6 and 7 are concerned, considering the facts and circumstances of the case and nature of injuries sustained by the injured, the prayer for grant of anticipatory bail to Petitioner Nos. 2, 4, 5, 6 and 7 is allowed.

9. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named Petitioner Nos. 2, 4, 5, 6 and 7 be enlarged 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 S.D.J.M., Raxaul at East Champaran, in connection with Darpa P.S. Case No. 98 of 2024, subject to condition as laid down under Section 482 of the B.N.S.S..

10. Accordingly, this application stands disposed of.

(Prabhat Kumar Singh, J)

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