

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84025 of 2024

Arising Out of PS. Case No.-183 Year-2024 Thana- SOHSARAI District- Nalanda

1. Sarvottam Kumar Son of Shailendra Prasad @ Shailendra Kumar Resident of Mohalla - Ashanagar, P.S. - Sohsarai, District - Nalanda
2. Purushottam Kumar Son of Shailendra Prasad @ Shailendra Kumar Resident of Mohalla - Ashanagar, P.S. - Sohsarai, District - Nalanda
3. Narottam Kumar Son of Shailendra Prasad @ Shailendra Kumar Resident of Mohalla - Ashanagar, P.S. - Sohsarai, District - Nalanda
4. Shailendra Prasad @ Shailendra Kumar Son of Late Bhikhari Sant Resident of Mohalla - Ashanagar, P.S. - Sohsarai, District - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Chandra, Advocate

For the Opposite Party/s : Mr. Raj Ballabh Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 27-01-2025 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 126(2), 115(2), 118(1), 109, 303(2), 3(5) of the Bharatiya Nyaya Sanhita.

3. As per prosecution case, on 31.07.2024 at about 6 PM, when informant reached at the construction site of Dr. Rakesh Kumar to get his dues, all the F.I.R. named accused persons including these petitioners caught the informant and co-accused Uttam Kumar assaulted on his head with rod.



Thereafter, petitioner No. 2 assaulted on the nose of informant with *lathi*. Petitioner No. 1 is alleged to have snatched gold chain from the neck of informant.

4. Learned counsel for the petitioners submits that petitioners have falsely been implicated in this case at the instance of Dr. Rakesh Kumar due to land dispute as he was getting construction work done after encroaching the land of these petitioners. Injury allegedly caused by petitioner No. 2 is simple in nature. Allegation of theft and attempt to commit murder are super additions to make the case grave. Petitioner Nos. 2, 3 & 4 claim clean antecedent. Petitioner No. 1 has got two criminal antecedents in which he is on bail.

5. Learned A.P.P. for the State vehemently opposed the bail application.

6. Considering the backdrop of the case and simple injury, this anticipatory bail is allowed and it is ordered that let the above named petitioners in the event of their arrest/surrender before the court below within a period of eight weeks from today, 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 Judicial Magistrate, 1st Class-VI, Nalanda in connection with Sohsarai P. S. Case No. 183 of



2024, subject to condition as laid down under Section 482(2) of
the Bhartiya Nagarik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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