

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90387 of 2024

Arising Out of PS. Case No.-137 Year-2024 Thana- KHAGAUL District- Patna

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1. Ayodhya Paswan @ Ayodhya Kumar S/o Late Dukhan Paswan R/o Digha Akhara Road, P.S. - Digha, Distt.- Patna
 2. Gaurav Kumar S/o Ayodhya Paswan R/o Digha Akhara Road, P.S. - Digha, Distt.- Patna
 3. Uttam Kumar S/o Ayodhya Paswan R/o Digha Akhara Road, P.S. - Digha, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Adv.
For the Opposite Party/s : Mr. Bhanu Pratap Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 05-02-2025 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Khagaul Police Station Case No. 137 of 2024, disclosing offences under Sections 323, 341, 324, 307, 379, 506 and 34 of the Indian Penal Code.

3. The prosecution case, as per the First Information Report, is that on 03.05.2024, in the evening, when the informant was returning from library on an Auto Rickshaw, it was intercepted by the petitioners who assaulted the informant by sharp edged weapons and iron rod due to which the



informant sustained injuries. Accused persons also snatched mobile phone and locket of the informant.

4. Learned Counsel for the petitioners submits that petitioners have falsely been implicated in this case due to F.I.R. lodged by the daughter of petitioner no. 1 against the family members of the informant bearing Digha P.S. Case No. 270 of 2024 under Section 498(A). He further submits that the informant of the present case is the younger brother of the husband of petitioner no. 1's daughter. The F.I.R. under Section 498(A) was lodged on 04.05.2024 and subsequent therefore, the present F.I.R. has been lodged on the same date in a different Police Station on the basis of concocted story. He next submits that the injuries caused to the victims are simple in nature as would be evident from the impugned order.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that the daughter of petitioner no. 1 had lodged F.I.R. against the family members of the informant and the injuries caused to the victims are simple in nature and the petitioners are having no criminal antecedent, I am inclined to grant the petitioners privilege of anticipatory bail.

6. This application is, accordingly, allowed.



7. 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 Court of Additional Chief Judicial Magistrate-V, Danapur, in connection with Khagaul Police Station Case No. 137 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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