

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.23204 of 2018**

Arising Out of PS.Case No. -347 Year- 2017 Thana -DAUDNAGAR District- AURANGABAD

- =====
1. Surendra Prajapati @ Surendra Prajapat, Son of Shiv Prajapati.
  2. Sugreev Prajapati @ Sugreev Prajapat, Son of Shive Prasad Prajapati.
  3. Angad Prajapati @ Angad Prajapat,
  4. Jamwand Prajapati @ Jamwand Prajapat @ Jamwat Prajapati @ Jamwant Prajapat, Both sons of Satendra Prajapati.
  5. Chhathan Prajapati @ Chhathan Prajapat, Son of Sugriv Prajapati, All residents of Village- Trar, P.S.- Daudnagar, District- Aurangabad.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Anil Kumar Sinha

For the Opposite Party/s : Mr. Sri Ram Anurag Singh

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**

**ORAL ORDER**

2      26-04-2018      Heard learned counsels for the parties.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341, 332, 323, 325, 307, 379, 504, 34 of the IPC.

The prosecution case as per the written report of Ganauri Prajapati dated 21.12.2017 submitted to Daudnagar P.S., is to the effect that on 21.12.2017 on 5 P.M. when the informant was returning back to his home after withdrawing money from bank, in the meantime, Surendra Prajapati, Angad Prajapati, Jamwant Prajapati, Sugreev Prajapati, Chhathan Prajapati caught hold of and assaulted him and brought the informant at the door of their



house and began to assault with lathi, danda, iron rod and they took away his jacket (bundi) containing Rs.10,000/- of the informant.

It is submitted by learned counsel for the petitioner that in the background of enmity with the parties, the accusation has been levelled, but there is nothing on record to suggest that the informant received any grievous injury nor the impugned order suggests as such. There is a counter version of the occurrence also, being Daudnagar P.S. Case No.4 of 2018 registered under Section 323, 379, 354, 504, 506/34 IPC in which the informant is on bail.

Learned A.P.P., however, vehemently opposed the prayer for anticipatory bail.

Considering the facts aforesaid and the fact that nature of accusation in the background of enmity between the petitioners and informant and also that the petitioners are having no criminal antecedent as stated in para 3, let the petitioners above named be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks 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., Daudnagar in connection with Daudnagar P.S. Case



No.347 of 2017, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

However, this order would become effective only if the learned Court below gets it verified from the records that the informant has not received any grievous injury and if it is found that the informant has sustained grievous injury, in that circumstance, the petitioners shall surrender before the Court below and prefer regular bail.

**(Dinesh Kumar Singh, J)**

Sanjeev/-

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