

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.68169 of 2018**

Arising Out of PS. Case No.-144 Year-2018 Thana- AMNAUR District- Saran

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1. Ankit Kumar.
  2. Sanjeev Kumar @ Sanjeev Kumar Rai @ Sanjeev Kumar Raj. Both are sons of Devnandan Rai.
  3. Devnandan Rai, Son of Deeplal Rai. All are residents of Village-Rasoolpur, Police Station-Amnour, District- Saran at Chapra.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

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**Appearance :**

|                     |   |                                        |
|---------------------|---|----------------------------------------|
| For the Petitioners | : | Mr. Krishna Kumar Yadav, Advocate.     |
| For the State       | : | Mr. Manoj Kumar – A.P.P.               |
| For the Informant   | : | Mr. Mrityunjay Kumar Tiwary, Advocate. |

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      28-11-2018                      Heard learned counsel for the petitioners, learned counsel for the informant and learned counsel for the State.

The petitioners are apprehending their arrest in a case for the offence registered under Sections 341, 323, 324, 307, 379 and 504/34 of the IPC.

The prosecution story, in brief, is that on 18.07.2018 at about 9.30 P.M., informant's *Pattidar* i.e., petitioners and son-in-law armed with *Sword, Farsa and Garasa* suddenly attacked upon his family members. Petitioner no. 3 Devnandan Rai gave *Sword* blow to Vikash Kumar causing injury upon his arm and back, petitioner no. 2 Sanjeev Kumar gave *Farsa* blow to Vishal Kumar causing injury on his neck and petitioner gave *Garasai*



blow his daughter, namely, Anjali Kumari causing injury on her chest. His wife also sustained injury on her back and he sustained injury blow on his ear and shoulder. On hearing hulla, villagers came then the accused persons started fleeing away after taking away cash of Rs. 1,50,000/- and *Mahabir Locket* from his neck. He came to police station to inform the occurrence and thereafter he went to PHC, Amnour for treatment.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. It is case and counter case between the parties. Nature of injury is said to be simple. No offence under Section 307 of the IPC is made out. At best, it is a case for the offence under Section 325 of the IPC.

On behalf of the State and the informant, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail



bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.- II, Saran at Chapra, in connection with Amnour P.S. Case No. 144 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

**(Sudhir Singh, J)**

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