

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43207 of 2018

In
Criminal Miscellaneous No.23204 of 2018

Arising Out of PS. Case No.- Year- Thana- District- Aurangabad

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1. Surendra Prajapati @ Surendra Prajapat, S/o Shiv Prajapati,
 2. Sugreev Prajapati @ Sugreev Prajapat, S/o Shive Prasad Prajapati alias Shiv Prasad
 3. Angad Prajapati @ Angad Prajapat
 4. Jamwant Prajapati @ Jamwant Prajapat Both Sons of Satendra Prajapati,
 5. Chhathan Prajapati @ Chhathan Prajapat, S/o Sugriv Prajapati, All Residents of Vill.- Trar, P.S.- Daudnagar, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Sinha
For the Opposite Party/s : Mr. Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 08-08-2018 Heard learned counsels for the parties.

The present application has been filed for modification to the extent of deleting the condition of the anticipatory bail in the order dated 26.4.2018 passed in Cr. Misc. No. 23204 of 2018 whereby the petitioner was granted anticipatory bail in a case registered for the offences punishable under Sections 341,332,323,325,307,379 and 504/34 of the IPC on the submission made on behalf of learned counsel for the petitioner that there is nothing on record to suggest that the informant received any grievous injury. The petitioner was granted anticipatory bail with the condition that if it is found



that the informant has received grievous injury, in that circumstance, the order will not be effective.

It is submitted by learned counsel for the petitioner that subsequent to the order passed by this Court, supplementary injury report was brought on record suggesting that one of the injuries of Ganauri Prajapati has been found to be grievous.

It appears from the injury report dated 21.12.2017 that opinion with regard to two injuries was kept reserved and subsequently final injury report has been submitted.

In the circumstances discussed above, this Court is not inclined to interfere with the earlier order. However, the learned Court below may consider the prayer for grant of regular bail in connection with Daudnagar P.S. Case No. 347 of 2017 pending in the Court of learned SDJM, Daudnagar in case the petitioner surrenders within six weeks, keeping in view the fact that only one injury on non-vital part of the body has been found grievous, moreover, on consideration of merits of accusation, the petitioner was granted anticipatory bail since neither the injury report was brought on record nor the impugned order passed by the learned Sessions Judge suggested the nature of injury caused.

With the aforesaid observation/direction, this



application is disposed of.

(Dinesh Kumar Singh, J)

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