

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5605 of 2019

Arising Out of PS. Case No.-302 Year-2018 Thana- DESARI District- Vaishali

1. Sajeevan Rai, son of Late Harakh Rai, Resident of Kharagpur, P.S.- Desari (Chandpura- O.P.), District- Vaishali at Hajipur.
2. Thagan Rai, son of Late Harakh Rai, Resident of Kharagpur, P.S.- Desari (Chandpura- O.P.), District- Vaishali at Hajipur.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Anish Chandra

For the Opposite Party/s : Mr.Arun Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 22-04-2019 Petitioners seek bail in anticipation of their arrest in connection with Desari (Chandpura O.P.) P.S. Case No. 302 of 2018, registered for the offences punishable under Sections 341, 323, 325, 379, 307, 504 and 506/34 of the Indian Penal Code.

Allegation against the accused persons, including the petitioners is of assault to the informant and specific allegation against petitioner No.1 is that he assaulted on the head of the informant by rod, causing injury.

Submission of learned counsel for the petitioners is that they are the next door neighbour and dispute arose with respect to a petty dispute and the injury is simple in nature. So far petitioner No.2 is concerned, there is no allegation of assault



against him.

Heard learned APP also.

Having heard both sides and in the facts and circumstances, let petitioner No.2, above named, in the event of arrest or surrender within a period of six weeks from the receipt of this order, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-II, Vaishali at Hajipur, in connection with Desari (Chandpura O.P.) P.S.Case No. 302 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and further condition that one of the bailors of the petitioner shall be a local person having sufficient immoveable properties within the jurisdiction of the court concerned.

So far petitioner No.1 is concerned, he should surrender within six weeks from receipt of order and pray for regular bail and learned court below will verify the submission made above that injury is simple in nature and if it is true he shall be released on bail on furnishing bail bond of Rs.25,000/- with two sureties of the like amount each to the satisfaction of the court below, otherwise the court below is free to pass any



other order(s) as it may deem fit and proper.

This application is, accordingly, disposed of.

(Vinod Kumar Sinha, J)

spal/-

U		T	
---	--	---	--

