

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13163 of 2019

Arising Out of PS. Case No.-253 Year-2018 Thana- DIGHWARA District- Saran

1. KRISHNA RAI, aged about 50 years (Male), son of Ramayan Rai
 2. Tejnarayan Rai, aged about 45 years (Male), Son of Sheojee Rai
Both Resident of Village - Ami Rampur, P.S. - Dighwara, District - Saran
- Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sushil Kumar Singh
For the Opposite Party/s : Mr. Ashraf Ansari

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 06-03-2019 Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 307 and 504/34 of the Indian Penal Code.

Both the petitioners allegedly assaulted to the informant with iron rod causing injury at the head. The Doctor has found single lacerated wound at the head of the informant.

Submission is that petitioner no. 2 Tejnarayan Rai has already been arrested in this case, hence, his prayer for anticipatory bail is infructuous now.

So far prayer for anticipatory bail of petitioner no. 1 Krishna Rai is concerned, it is difficult to visualize as to who of the two accused caused single injury at the head of the



informant.

Considering the discrepancy aforesaid, let the petitioner no. 1 Krishna Rai, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs.20,000/- (rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Dighwara Police Station Case No. 253 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner no. 1 shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner no. 1.

(Birendra Kumar, J)

Kundan/Rajan

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