

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21589 of 2019

Arising Out of PS. Case No.-8 Year-2019 Thana- DARAUNDA District- Siwan

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1. SURENDRA PRASAD Son of Gharbharan Prasad Resident of Village - Bangali Chapra, P.S.- Daraunda, Distt.- Siwan.
 2. Dipak Kumar Son of Surendra Prasad Resident of Village - Bangali Chapra, P.S.- Daraunda, Distt.- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Varma
For the Opposite Party/s : Mr.Anant Kumar 1

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 10-05-2019 This application, for grant of anticipatory bail, arises out of Daraunda P.S. Case No. 8/2019, disclosing offences under Sections 341, 323, 324, 307, 504/34 of the Indian Penal Code.

Allegation as per F.I.R. is that petitioner no. 2 called the informant in the garden of Mukhiya Ji, on which, petitioner went there and when he reached there, petitioners abused him and assaulted him and petitioner no. 1 caught hold of the informant allowing petitioner no. 2 to give repeated knife blow to the informant.

Submission of learned counsel for the petitioners is that entire allegation is false and concocted and though there is allegation against petitioner no. 2 of assaulting the informant by



knife but only lacerated wounds were found on the person of the injured, which were not caused by sharp cutting weapon.

Heard learned A.P.P. also.

Having heard both sides, considering the allegation against petitioner no. 2, I am not inclined to grant him the privilege of anticipatory bail rather petitioner no. 2 may move for regular bail, which will be disposed by the court below on the basis of materials available on record.

So far petitioner no. 1 is concerned, in the event of his arrest or surrender before the court below within six weeks, is directed to be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned ACJM – VI, Siwan, in connection with Daraunda P.S. Case No. 8/2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This application is accordingly disposed of.

(Vinod Kumar Sinha, J)

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