

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42810 of 2019

Arising Out of PS. Case No.-4 Year-2018 Thana- CHORAUT District- Sitamarhi

1. SURENDRA MUKHIA Son of Saini Mukhia Resident of Village-Parigama, P.S.-Chorout, District-Sitamarhi.
2. Dayawati Devi W/o Surendra Mukhia Resident of Village-Parigama, P.S.-Chorout, District-Sitamarhi.
3. Boeyelal Mukhia S/o Saini Mukhia Resident of Village-Parigama, P.S.-Chorout, District-Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Roy

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 12-07-2019 Heard learned counsel for the parties.

The petitioners are apprehending their arrest in connection with Chorout P.S.Case no.4/18 dated 2.12.2018 , registered for offences punishable under Sections 341, 323, 324, 325, 307, 37 of the Indian Penal Code.

Prosecution story is that the accused persons including the petitioner came variously armed and they assaulted the informant and his brother and further allegation is that the petitioner no.1 and 2 assaulted by *Garasa* causing injury on the head and hand and the petitioner no.3 assaulted by *lathi* to informant and his brother.

Submission of the learned counsel for the petitioners is that though there is allegation of assault by *Garasa* but the



injuries are found by hard and blunt substance and all the injuries except one injury was found to be simple and about one injury it is stated that it is dangerous to life but not shows that it is grievous injury.

Heard learned A.P.P. and the learned counsel for the informant , who has opposed the prayer for bail on the ground that one injury was found to be dangerous to the life. .

Having heard both sides and in view of the facts and circumstances, as stated above, so far petitioner no.2 and 3 are concerned, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt of order be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned SDJM, Pupri at Sitamarhi in connection with Chorout P.S.case No.4/18 subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

So far petitioner no.1 is concerned, there is allegation of assault by *Garasa* and one of the injuries on head was found to be dangerous to life as such I am not inclined to grant privilege of anticipatory bail, however, he may surrender and pray for



regular bail, which will be considered on its own merit .

With the aforesaid direction, this application is
disposed of.

(Vinod Kumar Sinha, J)

chn/-

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

